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The Press as a Pawn:  
An In-Depth Study of the Impact of the 2011 Arab Uprisings on Press Freedom Restrictions in  
the Hashemite Kingdom of Jordan

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## **Abstract**

This study researches and documents the impact of the 2011 Arab Uprisings on press freedom restrictions in the Hashemite Kingdom of Jordan.<sup>1</sup> Since inception, the Kingdom has vacillated between liberalization and deliberalization, which is seen, most evidently, in its relationship with the press. It is imperative to look at the history of the relationship between the government and the media in Jordan in order to understand the political, social, cultural, and economic conditions under which the media may or may not have developed in the Kingdom. In Jordan, there is a direct correlation between the sharp curtailment of press freedoms and national crises. The media has, and continues to be, infected by governmental control and, therefore, becomes an unwitting ally in the regime's quest to protect the existing state of affairs.<sup>2</sup>

**Key Words:** Human Rights, Freedom of the Press, The Hashemite Kingdom of Jordan, Press and Publications Laws, Democratization, the Arab Spring / Arab Uprisings

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<sup>1</sup> "The Arab Spring" and "Arab Uprisings" are used interchangeably in reference to the mass protests in MENA in 2011.

<sup>2</sup> For the purpose of this thesis, the "press" is used to refer to press and media systems both on- and off-line.

## **Acronyms**

BBC	British Broadcasting Corporation
CFDJ	Center for Freedom of Defending Journalists
FH	Freedom House
GDP	Gross Domestic Product
GID	General Intelligence Directorate
HRW	Human Rights Watch
ICCPR	International Covenant on Civil and Political Rights
IMF	International Monetary Fund
JD	Jordanian Dinar
JPA	Jordan Press Association
MENA	Middle East and North Africa
NGO	Nongovernmental Organization
PLO	Palestinian Liberation Organization
PRI	Institutional Revolutionary Party
RSF	Reporters Without Borders
TRC	Telecommunications Regulatory Commission
UDHR	Universal Declaration of Human Rights
UNESCO	United Nations Educational, Scientific, and Cultural Organization

## **Table of Contents**

1). Introduction	4
1.1 Current Events: The Murder of Jamal Khashoggi	4
1.2 Introduction to the Research Question	5
1.3 Theoretical Underpinnings of International Human Rights Law, the Press, and State Repression	8
1.4 Press Freedom Restrictions in the Arab World	12
1.5 Press Freedom Restrictions in Jordan	13
1.6 Hypothesis and Argument	14
1.7 Methodology	16
1.8 Organization of the Thesis	17
2). Literature Review	19
2.1 Theoretical Frameworks of the Role of the Press	19
2.2 Government-Press Relations	20
2.3 Normative Theories of the Press	22
2.4 The Press in the Arab World	23
3). A Historical Case Study of the Hashemite Kingdom of Jordan	27
3.1 Pre-Independence	27
3.2 King Hussein 1853-1989	28
3.3 1989: An Opening?	32
3.4 The Press 1989-1999	33
3.5 King Abdullah II 1999-2009	37
4). Impact of the Arab Spring	45
4.1 The Press Before the Arab Spring	45
4.2 The Arab Spring	47
4.3 Regional Impact of the Arab Spring	51
4.4 The State of the Press Post-Arab Spring	52
4.5 Analysis of the Research Question	57
5). Conclusion	60
6). Bibliography	62

## **1). Introduction**

### ***1.1 Current Events: The Murder of Jamal Khashoggi***

On October 2, 2018, Jamal Khashoggi, a prominent Saudi Arabian journalist with *The Washington Post* entered the Saudi Arabian consulate in Istanbul, Turkey never to be seen again.<sup>3</sup> He had entered the consulate to retrieve documents for his upcoming nuptials when Saudi officials apparently attacked, killed, and dismembered Khashoggi. Most believe that Saudi Crown Prince Mohammed bin Salman ordered the journalist's killing; however, as of this writing, bin Salman continues to deny the accusation despite his top aide's implication. At least five separate Saudi officials may take the ultimate fall, having been charged with the death penalty for their involvement in Khashoggi's death.

For many years Khashoggi had worked as a journalist covering major news stories in the Middle East like Osama bin Laden's ascent and had even served as an advisor to the Saudi royal family and government. However, in 2017, right around the time that bin Salman rose to power, Khashoggi, who was nervous about a possible impending arrest, went into self-imposed exile in the United States after having become a vocal critic of the Saudi regime.<sup>4</sup> In the U.S., Khashoggi continued to attack the increasingly authoritarian bin Salman regime in his column with *The Washington Post*. Khashoggi's murder paints a frightening picture for press freedom in MENA and is symptomatic of the suppression of dissent in the region.

Khashoggi's final article for *The Post*, published post-mortem, ironically entitled "What the Arab World Needs Most is Free Expression," argues just that.<sup>5</sup> In it, Khashoggi explores the

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<sup>3</sup> In Arabic, Jamal Khashoggi's name is spelled جمال خاشقجي and is pronounced "Jamal Khashogjee."

<sup>4</sup> Wright, Robin. "Did the Saudis Murder Jamal Khashoggi?" *The New Yorker*, October 7, 2018. <https://www.newyorker.com/news/news-desk/did-the-saudis-murder-jamal-khashoggi>.

<sup>5</sup> Khashoggi, Jamal. "What the Arab World Needs Most Is Free Expression." *The Washington Post*, October 17, 2018. [https://www.washingtonpost.com/opinions/global-opinions/jamal-khashoggi-what-the-arab-world-needs-most-is-free-expression/2018/10/17/adfc8c44-d21d-11e8-8c22-fa2ef74bd6d6\\_story.html](https://www.washingtonpost.com/opinions/global-opinions/jamal-khashoggi-what-the-arab-world-needs-most-is-free-expression/2018/10/17/adfc8c44-d21d-11e8-8c22-fa2ef74bd6d6_story.html).

2011 Arab Uprisings, arguing that “journalists, academics and the general population were brimming with expectations of a bright and free Arab society...they expected to be emancipated from the hegemony of their governments and the consistent interventions and censorship of information.”<sup>6</sup> This dream quickly faded. Most countries either reverted to their old ways or cracked down on their populations even more harshly than before the uprisings. Now, press freedom is declining at an alarming rate in MENA as governments are emboldened to act with impunity.

Khashoggi’s death is not only a Saudi issue, it is also a regional one. There is no press freedom in any Arab country except, marginally, the Republic of Tunisia. While the tactics of restriction vary depending on regime, this widespread phenomenon is especially evident in the Hashemite Kingdom of Jordan.

### ***1.2 Introduction to the Research Question***

The press has an understandably tenuous relationship with government because of its watchdog role. The media’s enforcement of accountability suppresses the ability of governments to act with impunity. Therefore, in order to maintain their autonomy, many administrations utilize various tactics to curtail the autonomy of the press. True democracy requires governments to be accountable to their people; press freedom is a proxy by which to measure such accountability and the real state of a political system. Jordan provides a laboratory to examine this hypothesis, having promised democratization to its citizens many times over the past century. The purpose of this thesis, therefore, is to study the historical relationship between the Jordanian regime and the press so that we may better understand the impact of the 2011 Arab Uprisings on the independence of the media in the Hashemite Kingdom of Jordan.

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<sup>6</sup> Ibid.

Surrounded by Israel, Saudi Arabia, Syria, and Iraq, the Kingdom of Jordan is a pacifying force in the Middle East, primarily out of necessity for its own survival. Jordan has historically provided shelter to refugees from the Palestinian territories, Iraq, and, most recently, Syria. The Kingdom is a constitutional monarchy. The omnipotent King appoints the prime minister and has the authority to dissolve the parliament when he sees fit, which he does regularly. While the Kingdom's 10 million people largely see the monarchy as legitimate, the young state is neither democratic nor pluralistic.

In 2011, protests erupted in the Kingdom as a result of contagion from the regional uprisings, which had manifested as mass populist protests calling for democratic change. While many heralded these protests as the path to democratization, in reality they ushered in political instability and caused clampdowns by administrations fearful of losing power. Throughout this period, King Abdullah II enacted “cosmetic reforms” to appease citizens, before returning to his old illiberal ways.<sup>7</sup> This is apparent through regulations on the press.

In 2018, RSF, a press freedom NGO, classified Jordan's press as “not very free,” while another NGO, FH, classified the press as “not free” in its 2017 ranking.<sup>8</sup> Academics are largely in agreement. “I don't think there was ever an independent press in Jordan...there are so many laws that govern the affairs of the press.”<sup>9</sup> Before the uprisings, the government monitored the press through a series of overt legislative measures. Since the protests, however, the government has used more subtly covert legal measures to crack down on any form of freedom of expression,

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<sup>7</sup> Lars Berger articulated this concept of “Cosmetic Concessions” in Jordan in his chapter “Democratic Contagion versus Authoritarian Resilience in Jordan” in *The Arab Uprisings: Catalysts, Dynamics, and Trajectories* by Fahed Al-Sumait, Nele Lenze, and Michael C. Hudson.

<sup>8</sup> Reporters Without Borders. “Jordan 2018: Not Very Free.” Reporters Without Borders. <https://rsf.org/en/jordan>. Freedom House. “Freedom of the Press 2017: Jordan.” <https://freedomhouse.org/report/freedom-press/2017/jordan>.

<sup>9</sup> Safwan Masri, interviewed by Katie Beiter, Amman, Jordan, October 2018.

opinion, and the press. This change in tactics constitutes an attempt to create a façade of democracy and to appear progressive, when, in fact society is largely repressed.

The regime constrains the press through the enactment of restrictive press laws and the issuance of gag orders, which prevents news that questions their actions from being publicized. Journalists in the Kingdom “routinely self-censor, and are aware of certain ‘red lines’ that may not be crossed in reporting, including critical coverage of the royal family.”<sup>10</sup> Journalists are also arrested and charged under Jordan’s Press and Publications Law for unfavorable reporting.<sup>11</sup>

In 2018, Jordanian authorities arrested two journalists for reporting that the Kingdom’s finance minister evades taxes. They were charged under both the country’s Press and Publications Law and the new Cybercrime Law.<sup>12</sup> Additionally, the regime amended the Kingdom’s cybercrime law to include stipulations surrounding the elimination of “hate speech,” imposing fines and prison sentences for “hate speech.” The amendments give the government complete power in determining what constitutes hate speech and grants it legal permission to stifle freedom of speech, expression, opinion, and the press both on- and off-line. In conjunction with the Kingdom’s preexisting legislative measures and other insidious methods of press freedom restrictions, this new law has now effectively ended any remaining semblance of press freedom, press diversity, and journalistic integrity in Jordan.

A free and vibrant press is one of the key components of a functioning democracy. The role of the media is to arm civil society with the information necessary to make knowledgeable decisions while also acting as a system of checks and balances on both government and industry.

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<sup>10</sup> Freedom House. “Freedom of the Press 2016: Jordan.” <https://freedomhouse.org/report/freedom-press/2016/jordan>.

<sup>11</sup> Committee to Protect Journalists. “Jordan Arrests Two Journalists Over Report on Finance Minister,” January 17, 2018. <https://cpj.org/2018/01/jordan-arrests-two-journalists-over-report-on-fina.php>.

<sup>12</sup> Ibid.



The international community is largely in agreement that an essential human right is the unfettered ability for a society to question its leaders. Therefore, restricting the press is a violation of Article 19 of the UDHR as well as Article 19 of the ICCPR. Both the UDHR and the ICCPR require all states parties to guarantee freedom of expression, opinion, and the press.

Nevertheless, governments in politically unstable societies often seek to stifle the press. This type of state-sponsored containment stretches across a broad spectrum of severity. Historically, it has taken the form of coercion, whereby the government creates a culture of payola to pressure journalists to report on or avoid specific topics; repression, in which authorities arbitrarily arrest and detain journalists; and, finally, state-sponsored terrorism, in which journalists are murdered as examples to others. Restricting press freedom begins as a civil liberty impediment that often takes a dangerous turn into a personal integrity violation when journalists are subject to arbitrary arrest, torture, disappearances, and even death. Further, it totally contradicts the principle that a people have the right to know and act on the facts.

Through a combination of conspicuous and veiled tactics, Jordan continues to silence its press in order to maintain a carefully curated narrative about the country for both its people and the international community.

### ***1.3 Theoretical Underpinnings of International Human Rights Law, the Press, and State Repression***

Freedom of opinion, expression, information, and the press are enshrined rights extant in two major human rights instruments: the UDHR and the ICCPR. While not wholly considered law, article 19 of the UDHR states that “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”<sup>13</sup> Similarly,

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<sup>13</sup> UN General Assembly, *Universal Declaration of Human Rights*, December 10, 1948, 217 A (III), available at:

article 19 of the ICCPR further elucidated the right to freedom of the press in the UDHR, requiring those who are party to the covenant to be legally bound to respect, protect, and fulfil that right.<sup>14</sup> Both the UDHR and the ICCPR clearly document that freedom of opinion, expression, and information are rights “regardless of frontiers” – meaning, these rights exist irrespective of borders. The ICCPR, however, does set forth the following exceptions to these rights: “for respect of the rights or reputations of others; for the protection of national security or of public order, or of public health or morals.”<sup>15</sup> Despite this, freedom of the press is considered to be one of the founding tenets of modern-day human rights. An independent press is a vital component to any functioning democracy and journalists are active defenders of this right.

Not only is an autonomous press instrumental to democracy, it is also crucial to good governance. According to UNESCO’s High Level Panel on the post-2015 Development Agenda, “good governance is understood as a society’s ability to guarantee the rule of law, free speech and open and accountable government.”<sup>16</sup> Additionally, the press should be diverse as it can “contribute to empowerment, understood as a social, economic and political process that is a natural outcome of the public’s increased ability to access and contribute to credible information representing a plurality of opinions, facts and ideas.”<sup>17</sup> Specifically, expanding press freedom facilitates democratization, prevents corruption, promotes transparency, increases pluralism, and ensures respect for the rule of law.<sup>18</sup>

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<http://www.refworld.org/docid/3ae6b3712c.html>.

<sup>14</sup> UN General Assembly, *International Covenant on Civil and Political Rights*, December 16, 1966, United Nations, Treaty Series, vol. 999, p. 171, available at: <http://www.refworld.org/docid/3ae6b3aa0.html>.

<sup>15</sup> Ibid.

<sup>16</sup> UNESCO. “Free Media Contribute to Good Governance, Empowerment and Eradicating Poverty.” <http://www.unesco.org/new/en/unesco/events/prizes-and-celebrations/celebrations/international-days/world-press-freedom-day/2014-themes/free-media-contribute-to-good-governance-empowerment-and-eradicating-poverty/>.

<sup>17</sup> Ibid.

<sup>18</sup> Radsch, Courtney. “Evidence - Press Freedom for Development.” Committee to Protect Journalists. <https://cpj.org/campaigns/press-freedom-for-development/evidence.php>.

Many international institutions point to a democracy as the only form of governance that can adequately develop.<sup>19</sup> With press freedom comes “poverty eradication, economic growth, transparency, gender equality, strong institutions, and vibrant civil society.”<sup>20</sup> States that do not respect freedom of the press inherently do not respect, protect, and fulfil other fundamental human rights. Therefore, because a free and autonomous press is the bedrock of democracy, without it a society cannot appropriately develop politically, economically, socially, or culturally. Additionally, because the press mirrors the degree of freedom in a society, it is important to understand the mechanisms of its repression. More often than not, the press is a revelatory micro example of a power hungry state’s agenda.

Key to ensuring transparency and accountability, the press acts as a disseminator of information, as well as a watchdog. “The press has taken an active part in the fight against corruption, bureaucracy, authoritativeness and highhandedness of the individuals in the administrative apparatus,” and it has “enhanced the principle of transparency and responsibility of explanation.”<sup>21</sup> The press is society’s mechanism for balancing power. “The most important functions of the press may be summarized as being to inform, to investigate, to expose abuse, and to educate.”<sup>22</sup> Because the press is the bridge between policy makers and the people, the press facilitates individual decision-making by empowering citizens with the necessary knowledge to participate in public life.

State repression is defined as:

the actual or threatened use of physical sanctions against an individual or organization, within the territorial jurisdiction of the state, for the purpose of imposing a cost on the

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<sup>19</sup> UNESCO, *Free Media Contribute to Good Governance*.

<sup>20</sup> Ibid.

<sup>21</sup> Dr. Đặng Dũng Chí, and Chu Thị Thúy Hằng. “International Law on the Right to Freedom of the Press.” World Bank. <http://siteresources.worldbank.org/INTVIETNAM/Resources/3-INTERNATIONAL-LAW-ON-THE-RIGHT-TO-FREEDOM-OF-THE-PRESS.pdf>.

<sup>22</sup> Jeffery, Anthea J. “Free Speech and Press: An Absolute Right?” *Human Rights Quarterly* 8, no. 2 (1986): 197–226. <https://doi.org/10.2307/762283>.

target as well as deterring specific activities and/or beliefs perceived to be challenging to government personnel, practices, or institutions.<sup>23</sup>

State repression developed from the concept of the “Law of Coercive Responsiveness.”

This theory represents the belief that state repression is the response to anything that puts the existing system at risk. Essentially, if an action threatens the status quo, the state is inclined to take some sort of retaliatory action.<sup>24</sup>

State repression can be divided into two separate categories: personal integrity violations, which include state-sponsored disappearances, torture, and murder; and civil liberties restrictions, defined as limitations placed on “first amendment rights” such as freedom of expression, belief, and assembly, which can manifest as arrests, bans, and curfews. Personal integrity violations attempt to eliminate behaviors and attitudes by purging those who hold opposing views, whereas civil liberties violations seek to change behaviors by removing the opportunity to voice dissidence.

Press freedom restrictions are multifaceted in that they can be both civil liberties violations – “first amendment rights” – as well as personal integrity violations.<sup>25</sup> These restrictions exist on a spectrum of severity: they can be forms of coercion, repression, intimidation, as well as blatant terrorism. Coercion is its mildest form. Coercive tactics, whereby governments foster cultures of payola and propaganda-spreading press agencies to control the flow of information in a more covert, and somewhat insidious, way. For example, the PRI which ruled Mexico for almost seven decades, institutionalized coercion by providing direct subsidies

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<sup>23</sup> For the purpose of this thesis, the “state” is defined as “the human community, which, within a given territory, claims for itself the legitimate monopoly of physical violence.” This definition is taken from *Governance by Terror* by Raymond Duvall and Michael Stohl.

Davenport, Christian. “State Repression and Political Order.” *Annual Review of Political Science* 10, no. 1 (2007): 1–23. <https://doi.org/10.1146/annurev.polisci.10.101405.143216>, 2.

<sup>24</sup> *Ibid*, 7.

<sup>25</sup> *Ibid*, 11.

to news agencies and establishing a governmental organization that influenced the production of news through a variety of financial incentives. The Mexican government was also notorious for paying journalists for favorable coverage.<sup>26</sup> This system of coercion was critical in sustaining the PRI's hold on power.

Further along the spectrum is outright state-repression. This is observable through the arrest and detention of journalists for their work, along with restricting access to subject matter, the enactment of harsh laws governing the independence of the media, and the issuance of gag orders. The Kingdom of Jordan is an example of this style of repression, which I will further enumerate upon in this thesis.

State-sponsored terrorism is the most severe form of repression. This happens when governments arrest, disappear, torture, or murder journalists to set an example and instill fear. Egyptian President Abdel Fattah el-Sisi proves to be an excellent example of this form of repression. After announcing his reelection campaign in 2017, the autocratic leader cracked down on journalists in a myopic fury. His regime closed news agencies, blocked hundreds of websites, and arrested, disappeared, and murdered journalists. Since his sham reelection, he has continued to attack the press. Sisi is largely considered to be an illegitimate ruler, working to preserve his leadership. Although Sisi engages in all forms of media repression, terrorism is his tactic of choice as it affords him the ability to create perceptions and regulate the flow of information, providing him desperately needed legitimacy.

#### ***1.4 Press Freedom Restrictions in the Arab World***

Restricting freedom of expression, opinion, and the press is not a new phenomenon. In the MENA region, it has historically been a weapon used by governments to seize and maintain

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<sup>26</sup> Lawson, Chappell. *Building the Fourth Estate: Democratization and the Rise of a Free Press in Mexico*. University of California Press, 2002., 33.

power to silence dissidence. Largely based off the idea of government supremacy, the origins of this practice are found in the Ottoman Empire, when nervous Turkish authorities became concerned that the press would introduce new and contrasting opinions into regular discourse. The Turks crafted a number of laws that censored and controlled the press and limited the ability to establish newspapers. These coercive tactics morphed into more repressive ones as the Turkish authorities arrested and detained those who were outspoken. The collapse of the Ottoman Empire Post-World War I and the rise of colonial rule in the region saw greater press freedom in MENA, but this would not last. During the period of decolonization after World War II, the newly formed Middle Eastern governments once again kept the press in check by shutting down dissent in order to assert and maintain state sovereignty.

### ***1.5 Press Freedom Restrictions in Jordan***

Over time, this practice has become institutionalized in many Middle Eastern countries, especially in the Hashemite Kingdom of Jordan, despite legislation that criminalizes such action. Jordan is legally bound by international, regional, and domestic law to respect, protect, and fulfil the right to freedom of opinion, expression, information, and the press. On the international level, the Kingdom signed and ratified the ICCPR, which safeguards freedom of the press, in 1972 and 1975, respectively.<sup>27</sup> Additionally, MENA, like other regional bodies, adopted its own Human Rights Charter in Cairo in 1994. Article 26 of the League of Arab States' Arab Charter on Human Rights states that "the freedom of thought, conscience and opinion is guaranteed to everyone."<sup>28</sup> On the domestic level, freedom of opinion, expression, information, and the press is safeguarded by the Kingdom's 1952 Constitution. Article 15 states:

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<sup>27</sup> UNHCR. "Ratification Status for Jordan."

[https://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=88&Lang=EN](https://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=88&Lang=EN).

<sup>28</sup> League of Arab States. "Arab Charter on Human Rights," March 15, 2008.

<http://hrlibrary.umn.edu/instreet/loas2005.html>.

- 1). The State shall guarantee freedom of opinion; and every Jordanian shall freely express his opinion by speech, writing photography and other means of expression, provided that he does not go beyond the limits of the law....
- 3). The State shall guarantee the freedom of the press, printing, publication and information media within the limits of the law.
- 4). Newspapers and information media may not be suspended nor the license thereof revoked except by a judicial order in accordance with the provisions of the law.
- 6). The law shall regulate the method of control of the resources of newspapers.<sup>29</sup>

While the constitution protects freedom of the media, it also states that during the imposition of martial law or states of emergency, the government can censor publications “in matters related to public safety and national defense purposes.”<sup>30</sup> There are also a number of laws relating to the press, publications, cybercrime, and hate speech that I will further elaborate on in the following sections.

### ***1.6 Hypothesis and Argument***

Before beginning research, the hypothesis of this thesis was rooted in the idea that the press plays a vital role in both efforts at democratization and development. Historically, democratic governments have been less inclined to employ repressive tactics, especially in regards to the press. This has changed, however, as governments have learned to create a façade of democracy while still controlling the press through more covert methods. Before the Arab Spring, the Kingdom used overt legal measures to restrict the press – such as the imposition of martial law and the frequently amended Press and Publications Law. Since the Arab Spring, however, the Kingdom has enacted more covert legal measures to restrict the press in its attempts at appeasing its constituents at home and abroad in maintaining its façade. While democratization did not take hold in the Kingdom in the same way it did in the Republic of

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<sup>29</sup> “1952 Constitution of the Hashemite Kingdom of Jordan,” 1952.

[https://www.constituteproject.org/constitution/Jordan\\_2011.pdf](https://www.constituteproject.org/constitution/Jordan_2011.pdf).

<sup>30</sup> Ibid.

Tunisia, the monarchy was committed to the façade of liberalism. New laws, such as those criminalizing hate speech and online activity prove that the Jordanian monarchy uses the press as a guinea pig to ensure that the political pendulum never sways too far authoritarian nor too far democratic.<sup>31</sup> Therefore, we must be weary of the monarchy's attempts at liberalization because they are often superficial.

Additionally, the liberalization of the Jordanian media is intrinsically linked to its history of political liberalization and deliberalization in the Kingdom. It is imperative, therefore, to look at the history of the relationship between the government and the media in Jordan in order to understand the political, social, cultural, and economic conditions under which the media may or may not have developed in the Kingdom.

When the Kingdom of Jordan was granted independence from the British in 1946, King Abdullah I ascended the throne and attempted to piece together the Jordanian and Palestinian populations in the newly-established Kingdom and the crisis with neighboring Israel. After his assassination in 1951, and a subsequent succession crisis, his grandson, King Hussein, was pronounced King in 1953. Under Hussein's rule, the Kingdom ebbed and flowed between liberalization and deliberalization as the young King navigated a politically turbulent region that was unfriendly to monarchies, a population deeply divided on its identity, and growing opposition to his rule. After a series of domestic and international political crises, the King imposed martial law in 1967 until 1991. Throughout this time, there were no parliamentary elections and there was no freedom of the media. In 1989, after bread riots, the King was forced to abdicate some of his power in favor of political liberalization. Hussein called for parliamentary elections and opened the press marginally. However, once the regime saw the

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<sup>31</sup>Daoud Kuttab, interviewed by Katie Beiter, Amman, Jordan, August 2018.



effect the press could have on the population and the growing opposition parties, it clamped down on it, tightening restrictions through its Press and Publications Law. After Hussein died in 1999, his son, Abdullah, assumed power. Abdullah's relationship with liberalization and the press echoes his predecessors. Through the early 2000s, Abdullah attempted to open the space for the press before quickly reneging on that promise of reform. The King, instead, became increasingly authoritarian towards the press, enacting various laws to curb press freedom. In 2011, protests erupted in the Kingdom as part of the regional Arab Spring, mass protests calling for democratic change. While the Kingdom initially opened up the space for a free and autonomous media to appease its citizens, it quickly clamped down on the press again once the chaos died down. Since the uprisings, almost every individual interviewed for this research noted that the Kingdom has covertly tightened its restrictions on the media. This is characteristic of the history of the regime's relationship with the media.

### ***1.7 Methodology***

Employing the theoretical framework and literature of the press as the fourth estate and looking at the relationships between the press and government and the press and civil society, this project utilized a mixed-methods case study approach to understand the impact of the 2011 Arab Spring on press freedom restrictions in Jordan. I decided to focus my research solely on the Jordanian media, a topic that is largely under-researched and understudied.

Because journalists, NGO researchers, and officials experience repression firsthand, these interviews were the primary source of data as they provided a comprehensive understanding of the political, social, cultural, and economic conditions under which states repress information and the ways in which they do so. Between July and October 2018, I conducted 12 qualitative and quantitative in-depth semi-structured interviews in Amman, Jordan with local and

international journalists; domestic and international NGO researchers and officials; media owners; and academics. Everyone interviewed for this thesis has either worked as a journalist or has closely observed the regime's regulation of the media in Jordan. I chose journalists who have worked with both international and local news outlets in order to begin to comprehend how the government regulates local news outlets and how international outlets toe the red lines in Jordan with some repercussions. Additionally, these journalists were able to explain in detail the forms of repression they have encountered, when these tactics were employed, and why. The NGO researchers and officials offered a more theoretical and legal understanding of the media freedom landscape in Jordan. I spoke with researchers from both international and domestic organizations such as HRW and the CFDJ. Speaking with both "grass-tops" and "grassroots" organizations was crucial to my understanding of media regulation from both an international human rights law lens as well from a domestic one.

The data gathered from interviews, along with the existing literature and research on press freedom restrictions in Jordan, will be examined through the theoretical framework of the role of the press, its relationships with civil society and government, the conditions under which states engage in specific repressive tactics, and the frequency of tactics employed. The data will then be analyzed into three sections: before, during, and after the Arab Uprisings to understand its impact on press freedom restrictions in Jordan.

### ***1.8 Organization of the Thesis***

Beginning with a literature review, this project will first examine theories of press freedom before looking at the specific case study of the Hashemite Kingdom of Jordan. Next, in order to fully understand the thesis question, it is necessary to examine the history of Jordan

from inception through the Arab Spring. This section will demonstrate that press freedom restrictions are intrinsically linked to the national and international mood in Jordan.

Drawing on the background of Jordan, the subsequent section will discuss the results of my interviews with local and international journalists, nongovernmental organization researchers and officials, and academics, while also drawing on other literature to discuss the implications of the 2011 Arab Uprisings on press freedom restrictions in the Kingdom. This section will confirm the hypothesis of this research.

Finally, the last section will offer concluding thoughts on the importance of studying press freedom globally and the broader implications of the deterioration of it.

## **2). Literature Review**

The following chapter provides a framework for analyzing the current landscape of press freedom restrictions in MENA. First, I will explore the theoretical frameworks of the role of the press, the relationship between press development and democracy, and the press' relationship with both civil society and governments. With this theoretical context, I will then explore the literature surrounding normative theories of the press both globally and in the Arab world. Finally, I will explore the specific contexts and histories of MENA.

### ***2.1 Theoretical Frameworks of the Role of the Press***

A free press is one of the institutions required to create and propagate democracy. In the West, the press is referred to as the “fourth estate” or the “fourth branch of government” for its role in observing and imparting information to a public.<sup>32</sup> Originally coined by British politician Edmund Burke, the term referred to the reporters' gallery in the British parliament as the fourth estate of parliament. Burke saw the press as a vital and instrumental aspect of any functioning democracy.<sup>33</sup> Lucas A. Powe expanded this idea through an examination of the U.S. Supreme Court Case *Miami Herald v. Tornillo* in which the Supreme Court overturned a law in Florida that required newspapers to allow equal space for political candidate endorsements.<sup>34</sup> In the judgment, Justice Stewart articulated that the press must be independent from the other branches of government: “The press is autonomous, functioning as a watchdog on the government, publicizing abuses, and, one hopes, arousing the citizenry.”<sup>35</sup> This case reaffirmed a national commitment to the necessity of a free press. According to Snyder and Ballentine, there is a

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<sup>32</sup> Powe, Lucas A. *The Fourth Estate and the Constitution: Freedom of the Press in America*. Berkeley; London: University of California Press, 1992, 234.

<sup>33</sup> Carlyle, Thomas. *On Heroes, Hero-Worship, and the Heroic in History*. Independent Publishing Platform, 1841., pg. 228.

<sup>34</sup> Powe, *The Fourth Estate and the Constitution*, 234.

<sup>35</sup> *Ibid*, 234.

“marketplace of ideas.” For them, this marketplace “depends not only on the expression of diverse views by different groups in society, but also on individuals’ exposure to diverse ideals.”<sup>36</sup> They argue that human rights researchers advocate for freedom of the press because, if a government maintains a monopoly over the press, it “can propagate any nationalist myth without having to face countervailing arguments” and impede the “marketplace of ideas.”<sup>37</sup> The “marketplace of ideas” increases pluralism in politics, leading to the creation of opposition parties and fairer elections. Therefore, the press is a tool that deepens the power of democracy and strengthens civil society.

## ***2.2 Government-Press Relations***

The press is often restricted because of its role in ensuring government accountability and transparency.<sup>38</sup> There is a plethora of factors – both macro and micro – that can influence press development, which need to be examined in sum to analyze the relationship between the media and democracy. On the macro level, the structure of a media system and the pattern of government regulation are the two variables that affect the nature of the press. Historically, authoritarian regimes were most likely to engage in repressive tactics while democracies tended to have lower instances of state-sponsored repression. This caused different media system to arise in authoritarian and democratic states. On the micro level, it is the individual-level effects of the press that change attitudes or behaviors.<sup>39</sup> Through the “Law of Coercive Responsiveness,” Christian Davenport differentiates between the two types of repressive tactics employed by governments – civil liberty violations, also known as “first amendment rights” such

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<sup>36</sup> Snyder, Jack, and Karen Ballentine. “Nationalism and the Marketplace of Ideas.” *International Security* 21, no. 2 (1996): 5–40., 18.

<sup>37</sup> *Ibid*, 14.

<sup>38</sup> Ungar, Sanford J. “Pressing for a Free Press.” *Foreign Policy* 77 (1990 1989): 132–53.

<sup>39</sup> Gunther, Richard, and Anthony Mughan. *Democracy and the Media: A Comparative Perspective*. Cambridge University Press, 2000.

as freedom of expression, belief and assembly; and personal integrity violations, which include state-sponsored disappearances, torture, and murder– and explains the political, economic, and social conditions that contribute to levels of repression.<sup>40</sup> These two types of violations exist on a spectrum of severity and depend on regime type.

Governments employ a variety of tactics to restrict the press. These include coercive, repressive, and terroristic tactics, which can be either covert or overt. Traditionally, journalists were subject to censorship and self-censorship, propaganda, cultures of payola, media nationalization, and arrest and torture. In the modern age, media capture is one of the easiest ways for a government or non-state actor to control the flow of information. In order to assert authority over information flows, leaders encourage business to buy media companies. In return, the government offers lucrative contracts to the businessmen, creating corrupt alliances known as “cronyism” and “media capture.”<sup>41</sup> While it is largely true that democracies tend to diminish the possibilities for state repression, the practice can be found in both democratic and nondemocratic societies and is most likely to be used by transitional or mixed governments, which need to assert their power and fight for their sovereignty.

Journalists are often the tools these types of governments try to leverage in order to assert their power. Snyder and Ballentine caution that sometimes in newly forming or transitioning democracies, freedom of speech can lead to nationalist rhetoric and nationalist movements. Using the cases of Serbia and Rwanda, they make the claim for political mythmaking and that the “rise of the modern state, economic change, political repression, socio-economic inequality, security threats, and so forth” can contribute to nationalism and that propaganda is necessary for

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<sup>40</sup> Davenport, *State Repression and Political Order*, 7.

<sup>41</sup> Schiffrin, Anya. “Media Capture in the Digital Age.” Project Syndicate, August 17, 2017. <https://www.project-syndicate.org/commentary/media-capture-in-the-digital-age-by-anya-schiffirin-2017-08>.

a ruling party to have a nationalist movement.<sup>42</sup> The middlemen – i.e. journalists – in newly created democracies are not always up for the challenge of “digging out the truth” because they are often linked to groups or institutions that are vying for power themselves, and are not professionally trained.<sup>43</sup> To remedy this, therefore, a society needs well-institutionalized media systems and norms. That said, the press and democracy are mutually reinforcing, and therefore periods of governing transition are crucial to media development.

### *2.3 Normative Theories of the Press*

Siebert, Peterson, and Schramm articulated four normative theories on the press— the authoritarian, the libertarian, the social responsibility, and the soviet theories – to describe the varying relationships between governments and the press.<sup>44</sup> Through these normative theories, we come to understand the press as intrinsically married to the political, social, economic, and cultural fibers of a society. The Arab press has always been an anomaly and does not necessarily fit into these normative theories because of the inherent lack of criticism and limited opinion flows. Scholars such as William Rugh, have distinguished between different kinds of press systems in the Arab world – the mobilized press, the loyalist press, the diverse press, and, most recently the transitional press.<sup>45</sup> Rugh also discusses the formation of these media systems and their impact on Arab citizens.<sup>46</sup> The mobilized press exists primarily in more socialist Arab countries and is characterized by being completely subordinate to revolutionary governments, acting as a tool to garner support for its programs and policies.<sup>47</sup> The loyalist press often has

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<sup>42</sup> Synder and Ballentine, *Nationalism and the Marketplace of Ideas*, 11.

<sup>43</sup> Ibid, 24.

<sup>44</sup> Siebert, Fred S., Theodore Peterson, and Wilbur Schramm. *Four Theories of the Press: The Authoritarian, Libertarian, Social Responsibility and Soviet Communist Concepts of What the Press Should Be and Do*. 1st Paperback Edition. Urbana: University of Illinois Press, 1963., pg. 18 (Authoritarian theory).

<sup>45</sup> Rugh, William A. *Arab Mass Media: Newspapers, Radio, and Television in Arab Politics*. Greenwood Publishing Group, 2004.

<sup>46</sup> Ibid, 2.

<sup>47</sup> Ibid, 29-31.

fewer restrictions than the mobilized press; however, it still supports the government because of state control over resources and the persecution of subversive journalists.<sup>48</sup> The diverse press, on the other hand, is characterized as relatively free.<sup>49</sup>

Before the Arab Spring, the press in Jordan would have been described as transitional, as argued by Rugh, because it had “undergone steady change for more than a decade.”<sup>50</sup> However, since the uprisings, the press has become loyalist as it “lacks diversity, publicizes government activities and events, lacks thorough investigative reporting, and supports the status quo.”<sup>51</sup> Jordanian officials insidiously and covertly restrict freedom of the press through the Kingdom’s legal system, financial mechanisms, and its intelligence agencies.

## ***2.4 The Press in the Arab World***

In order to understand this phenomenon of restricting the press, it is necessary to look at the history of the press as a tool of state-sponsored repression in the Arab World. The Ottoman Empire ruled most of the Middle East, North Africa, and parts of Eurasia for roughly 600 years.<sup>52</sup> Through an intricate hierarchal system of governance, with the Sultan at the epicenter, the empire enjoyed relative political stability for much of its existence. Ideas of freedom of the press and expression were unheard of in the Middle East at the time and were seen as defiant to the old system of governance. Information was consolidated within the government and elite circles, meaning newspapers did not exist because there was no need for more information than what the state provided. Along with this, scholars such as Ami Ayalon, have also pointed to the sacredness of the written Arabic language as another deterrent to the creation of Arab

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<sup>48</sup> Ibid, 59-66.

<sup>49</sup> Ibid, 87.

<sup>50</sup> Ibid, 121.

<sup>51</sup> Najjar, Orayb Aref. “The Ebb and Flow of the Liberalization of the Jordanian Press: 1985-1997.” *Journalism and Mass Communication Quarterly*; Thousand Oaks, CA 75, no. 1 (January 1, 1998): 127–142., 128.

<sup>52</sup> “Ottoman Empire - Facts & Summary.” HISTORY.com. <http://www.history.com/topics/ottoman-empire>.



newspapers. Using written Arabic for everyday use was believed to desecrate the language, meant to be reserved solely for religious use.<sup>53</sup> Despite the propagation of Western news agencies, the Arab world found newspapers to be largely unnecessary, and they did not appear until the 19<sup>th</sup> century.<sup>54</sup>

By the end of the 18<sup>th</sup> century, the Turkish authorities allowed for some heavily monitored foreign publications, and even began introducing “newspapers” themselves. The first Arab newspaper, *Jurnal Al-Iraq*, began printing in 1816.<sup>55</sup> “The press began as a state rather than a private enterprise – in part because there was no tradition in the Middle East for routine discussion of political affairs in print.”<sup>56</sup> With the introduction of newspapers, the Ottomans realized the need to curtail their effect. Arab newspapers “were clearly founded in an effort by authorities to address and direct their subjects. They did not represent a popular need for information, but rather were published by ruling powers whose purpose was to convey directives to their subjects.”<sup>57</sup>

Those early newspapers were either European publications or tools of the Turkish authorities and were very traditional – journalists operating under this regime “organized the relationship between the political class and the rest of the population according to principles of obedience and respect for the established authority.”<sup>58</sup> Therefore, both the government and the sociopolitical elite were opposed to, and irritated by, the press because it clashed with their

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<sup>53</sup> Ayalon, Ami. “‘Sihafa’: The Arab Experiment in Journalism.” *Middle Eastern Studies* 28, no. 2 (1992): 258–80., 262.

<sup>54</sup> Ayalon, Ami. *The Press in the Arab Middle East: A History*. New York: Oxford University Press, 1995.

<sup>55</sup> Hafez, Kai, and David L. Paletz, eds. *Mass Media, Politics, and Society in the Middle East*. Cresskill, N.J.: Hampton Pr, 2001., 24.

<sup>56</sup> Amin, Hussein Y., and James J. Napoli, “Press Freedom in Egypt,” in *Press freedom and Communciation in Africa*. ed. Festus Eribo and William Jong-Ebot, 185-210. Trenton, NJ: Africa World Pr., 1997.

<sup>57</sup> Mellor, Noha, ed. *Arab Media: Globalization and Emerging Media Industries*. Cambridge, UK ; Malden, MA: Polity, 2011.

<sup>58</sup> Essoulami, Said. “Arab Media: Historical Background.” al-bab.com. 2017. <http://al-bab.com/arab-media-historical-background>.

traditional views and “incurred opposition, particularly by those whose status and power depended on the perpetuation of the old rules.”<sup>59</sup>

As an independent press began to crop up in the mid 19<sup>th</sup> century towards the end of the Ottoman Empire, the Turks began restricting this free flow of information with a number of laws. In 1857, the “Ottoman Law of Printing and Publications” came into force, which required permission from the state to create a newspaper and made mandatory for those who were granted a license to “submit all texts intended for publication” to the state for approval. As a form of state coercion, this printing and publications law attempted to curtail dissidence. The law was expanded the following year to include a penal code, which created harsh punishments to those who printed anything that was not approved by, or was harmful to, the government. “Licensing, prepublication censorship, and prescribed punishments – a set of preventive measures – would become the cornerstone of government control of printed self-expression by individual subjects.”<sup>60</sup> With this law, previous state coercion became state repression with the introduction of punishments to those who did not obey the rules. In 1865, the Ottomans created the “Ottoman Law of Journalistic Publications,” which was the first law dealing specifically with the press and outlined a tight control and censorship system. Under this law, journalists faced imprisonment or fines if they offended the Sultan or members of his family, institutionalizing a system of muzzling civil society that would quickly become the norm for the region.<sup>61</sup> They were not, however, the only means available to governments to silence dissidence.

Several years later, between 1878-1880, as the Empire was on the verge of collapse and the independent press was blossoming, Sultan Abdul Hamid established a “Hamadian

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<sup>59</sup> Ayalon, *The Press in the Arab Middle East*, 117-118.

<sup>60</sup> *Ibid*, 112.

<sup>61</sup> *Ibid*, 112.

Censorship System.”<sup>62</sup> Seriously suspicious of the press, the Sultan expanded upon the previous laws by creating lists of forbidden topics, including any “references to the murder of heads of state anywhere;” anything that could evoke “dangerous ideas such as revolt, revolution, freedom, independence, constitution, and republic” as well as any words “connected with risky devices such as dynamite;” and, made illegal to use “the sultan’s titles and honorifics to describe someone else.”<sup>63</sup> Along with this strict censorship, there was a very tedious licensing procedure. Common punishments for journalists or publishers who veered outside the confines of these rules included fines, imprisonment, and even flogging of the feet. Nervous about maintaining power in his crumbling empire, the Sultan believed that stifling the media was necessary in an effort to assert control.

These phenomena continue today in the region, where ruling systems are often characterized by authoritarian and monarchical regimes. This is especially evident in the Hashemite Kingdom of Jordan, whose own modern Press and Publications Law is derived from Ottoman ones. According to Rugh, the press in Jordan is loyalist and restrictions on it are intrinsically linked to the political, economic, social, and cultural conditions of the country. Therefore, it is necessary to consider the history of the Kingdom from decolonization to the present in order to understand the circumstances under which the Jordanian monarchy restricts the media in the Kingdom.

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<sup>62</sup> Sultan Abdul Hamid II was the 34<sup>th</sup> Sultan of the Ottoman Empire ruling from 1876-1909.

<sup>63</sup> Ayalon, *The Press in the Arab Middle East*, 113-114.

### **3). A Historical Case Study of the Hashemite Kingdom of Jordan**

“The King decides, but Jordan deliberates.”<sup>64</sup>

In this chapter, I will explore the political history of Jordan in order to demonstrate that regulations on the press are directly correlated with national crises. This chapter will provide the necessary context to understand how the 2011 Arab Uprisings impacted press freedom restrictions in Jordan.

#### ***3.1 Pre-Independence***

The Kingdom of Jordan was under Ottoman Control from 1518 until the Arab Revolt in 1916, a “bid for national independence.”<sup>65</sup> One of the key players in the revolt against Ottoman control was Emir Abdullah ibn al-Hussein, the future founder of Jordan. Before the full defeat of the Ottoman Empire in 1918, the territory of Transjordan was secretly allocated to Great Britain through the Sykes-Picot Agreement, and later officially by the League of Nations. However, the British never occupied Transjordan, a choice which created further political chaos and stunted the region’s ability to grow as a new nation-state. In 1921, Abdullah occupied the territory due to popular opinion and he was proclaimed the Emir by its people.<sup>66</sup> Two years later, the British government declared the Emirate of Transjordan its own separate nation-state and it remained a British protectorate until 1946, when it was granted full independence through the Treaty of London.<sup>67</sup> On May 25, 1946, Emir Abdullah was proclaimed King and in 1949 the country changed its name to the Hashemite Kingdom of Jordan.<sup>68</sup>

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<sup>64</sup> Al-Sumait, Fahed Yahya, Nele Lenze, and Michael C. Hudson, eds. *The Arab Uprisings: Catalysts, Dynamics, and Trajectories*. Lanham, Maryland Boulder New York London: Rowman & Littlefield, 2015., 204.

<sup>65</sup> Salibi, Kamal S. *The Modern History of Jordan*. I.B.Tauris, 1998., 71.

<sup>66</sup> Abu Nowar, Maan. *The Development of Trans-Jordan 1929-1939, The: A History of the Hashemite Kingdom of Jordan*. Reading, United Kingdom: Garnet Publishing (UK) Ltd, 2004.

<http://ebookcentral.proquest.com/lib/columbia/detail.action?docID=1764160>., 1-2.

<sup>67</sup> “The Making of Transjordan.” [http://www.kinghussein.gov.jo/his\\_transjordan.html](http://www.kinghussein.gov.jo/his_transjordan.html).

<sup>68</sup> Ibid.

Contemporaneously, the state of Israel was established in 1948, leading to an exodus of over 700,000 Palestinians.<sup>69</sup> The newly-established Kingdom of Jordan was forced to handle an influx of Palestinian refugees, which greatly exacerbated its political, economic, and social woes. In 1948, Jordan entered into the Arab-Israeli war and annexed the West Bank.

### ***3.2 King Hussein 1953-1989***

After the death of Abdullah ibn-Hussein, Jordan faced a succession crisis as factions fought for various relatives of the late King to take the throne.<sup>70</sup> Ultimately, it was King Hussein's grandson Hussein ibn-Talal who rose to power, assuming the throne on May 2, 1953 at the age of 18.<sup>71</sup>

King Hussein ascended to power in a politically turbulent time for both the Kingdom and the region as a whole, and Jordanians were weary of their new leadership. Hussein faced three main challenges: the continued British presence in Jordan, especially militarily; the Israeli-Palestinian conflict; and Gamal Abdel Nasser, the socialist leader of Egypt who had overthrown the Egyptian monarchy. Additionally, many opposition parties – nationalist parties, communist parties, etc. – were formed in the Kingdom. In 1956, and against the counsel of his advisors, Hussein decided to hold parliamentary elections. The result created even more instability for the young King as many more of these new left wing and socialist parties won seats in the Jordanian parliament.<sup>72</sup>

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For more information on King Abdullah's life, please reference Chapter Four from *The Modern History of Jordan* by Kamal S. Salibi.

<sup>69</sup> Flapan, Simha. "The Palestinian Exodus of 1948." *Journal of Palestine Studies* 16, no. 4 (1987): 3–26. <https://doi.org/10.2307/2536718>, 3.

<sup>70</sup> Abu Doulah, Suhaib. *King Hussein of Jordan: Survival of a Dynasty*, 2017.

<sup>71</sup> UCA. "Jordan (1946-Present)." <http://uca.edu/politicalscience/dadm-project/middle-eastnorth-africapersian-gulf-region/jordan-1946-present/>.

<sup>72</sup> Abu Doulah, *King Hussein of Jordan: Survival of a Dynasty*.

Between 1956 and 1957, opposition towards the King and the monarchy gained momentum and reports of plans to stage a coup surfaced, forcing the King to dismiss the Prime Minister, dissolve parliament, and declare martial law in the country. The King banned all political parties, and many members of opposition groups found themselves in prison or in exile. “The voice of the opposition was effectively muzzled as the press and other publications were again subject to censorship.”<sup>73</sup> While the country returned to civilian rule the following year, many argue that by 1958 Jordan had become a full totalitarian state.<sup>74</sup> What’s more, during that same year, Egyptian President Nasser unified Egypt and Syria into a Pan-Arab State and the Hashemite monarchy was overthrown in Iraq by a coup.<sup>75</sup> King Hussein was without allies and had to be strategic in his domestic, regional, and international political relations. He began holding secret meetings with his Israeli neighbors while also trying to appease his Arab ones, attempting to play both sides of the conflict.

By the mid-1960s, the PLO was born, an armed resistance to the Israelis led by Yasser Arafat.<sup>76</sup> Hoping to assuage his Israeli friends, King Hussein decried the PLO’s more radical endeavors. In June 1967, Hussein led Jordan into the Six-Day War with Israel and, in three days, the Israeli army took East Jerusalem and the West Bank from Hussein. The Israeli forces also captured the Gaza Strip, the Sinai Peninsula from Egypt, and the Golan Heights from Syria. The loss was dramatic and the King immediately re-imposed martial law, which was not officially lifted again officially until 1991.<sup>77</sup> “The war discredited the losing Arab regimes – Syria, Egypt,

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<sup>73</sup> Rath, Kathrine. “The Process of Democratization in Jordan.” *Middle Eastern Studies* 30, no. 3 (1994): 530–57., 534.

<sup>74</sup> Abu Doulah, *King Hussein of Jordan: Survival of a Dynasty*.

<sup>75</sup> *Ibid.*

The Pan Arab State was dissolved in 1961.

<sup>76</sup> Yasser Arafat was the chairman of the Palestinian Liberation Organization from 1969-2004.

<sup>77</sup> Csicsmann, László. “Responsible Freedom and National Security: Liberalisation and De-Liberalisation in Jordan Under King Abdullah II.” *Society and Economy* 29, no. 1 (2007): 103–22., 107.

and Jordan –and provoked a crisis of legitimacy in Jordan, as well as an economic recession.”<sup>78</sup> Facing new crises, the country saw a resurgence of those formerly banned political parties.

The PLO proved to be one of the most contentious issues for King Hussein during the following decade as many began to question Hussein’s ability to rule. Because of the numbers of Palestinians living in Jordan, the King was forced to manage two national groups living under one flag. After clashing with Israeli forces in the late 1960s, the PLO abducted several airplanes in Jordan in 1970 and took its passengers hostage. The following year, it fought the Jordanian military during in a 10-day civil war in Amman.<sup>79</sup> This resulted in “a definitive lid on political activity in the country” and “marked a return to pre-1967 conditions with suppression of political parties and a tight control of freedom of expression.”<sup>80</sup> In an effort to regain popularity in the region, Hussein later chose to join the Syrians and Egyptians, now under the leadership of Anwar al-Sadat, in war in an attempt to retake lost land in the Golan Heights and the Sinai Peninsula.<sup>81</sup> While the three countries were ultimately unsuccessful, the war was successful in generating Arab nationalism.

One year later, at the Arab Summit in Rabat, Morocco, the PLO passed a resolution stating that they were the only organization that could represent the Palestinians.<sup>82</sup> This was highly relevant to the Kingdom because of the numbers of Palestinians living in Jordan. As a result of his unsteady hold on power during these decades, Hussein institutionalized media freedom regulations as a survival tool. Throughout this time, the Jordanian media were not

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<sup>78</sup> Rath, *The Process of Democratization in Jordan*, 534.

<sup>79</sup> Abu Doulah, Suhaib. *King Hussein of Jordan: On A Knife Edge*, 2017. <https://www.aljazeera.com/programmes/aljazeeraworld/2017/02/king-hussein-jordan-knife-edge-170228070450666.html>.

<sup>80</sup> Rath, *The Process of Democratization in Jordan*, 535.

<sup>81</sup> Abu Doulah, *King Hussein of Jordan: On A Knife Edge*.

<sup>82</sup> Tal, Lawrence. “Is Jordan Doomed?” *Foreign Affairs* 72, no. 5 (1993): 45–58. <https://doi.org/10.2307/20045813>, 49.

independent. Most news organizations were government-run, ensuring that the Jordanians and Palestinians living in Jordan repeatedly heard the official discourse and narrative of the regime. In order to obtain more fact-based news, Jordanian denizens had to rely on foreign services like the BBC or Monte Carlo, especially during times of crisis like the 1967 Six-Day War.<sup>83</sup>

Despite the brewing regional unpopularity for Hussein, the country still managed to stay afloat during the 1970s because of the regional oil boom, which created “economic prosperity for the country and served to attenuate political discontent.”<sup>84</sup> However, this prosperity was short lived, and the 1980s saw renewed crises with a decline in oil prices worldwide and an escalation in the conflict between the PLO and Hussein.<sup>85</sup>

Despite repeated attempts, Arafat and Hussein were unable to reconcile their differences. Because of the resultant domestic instability, Hussein kept a tight hold on the press from 1985 to 1989. In January 1985, former minister of information Layla Sharaf had announced that she would only serve in the position if she were able to defend press freedom. Ten days later she resigned after the King made a televised speech condemning the media for attacking institutions and individuals in the Kingdom.<sup>86</sup> After her resignation, Jordanian authorities clamped down on media freedom and freedom of opinion and expression. In November 1985, Jordanian authorities arrested 40 trade unionists and rounded up 250 members of the Muslim Brotherhood. Additionally, the former president of the JPA was put under town arrest and the “prime minister submitted a bill to parliament giving the government the right to monitor sermons at mosques throughout Jordan.”<sup>87</sup>

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<sup>83</sup> Safwan Masri, interviewed by Katie Beiter, Amman, Jordan, October 2018.

<sup>84</sup> Rath, *The Process of Democratization in Jordan*, 535.

<sup>85</sup> Tal, *Is Jordan Doomed*, 50-51.

<sup>86</sup> Najjar, *The Ebb and Flow of the Liberalization of the Jordanian Media*, 127.

<sup>87</sup> *Ibid*, 129.

The JPA is a professional organization in Jordan that was created in 1953 and is state-controlled.



When the Intifada began in Israel in 1987, many leaders called on Hussein to relinquish his hold on the West Bank, the geographical area that many saw as a possible future Palestinian state.<sup>88</sup> The following year, Hussein conceded, stating that “Jordan was not Palestine...” and “responsibility for the West Bank was henceforth to rest with the PLO as the sole legitimate representative of the Palestinian people.”<sup>89</sup> This renunciation paved the way to resume constitutional life in the Kingdom.<sup>90</sup> However, by that time, the country was in a complete economic crisis as the JD lost almost half of its value, GDP decreased, and unemployment skyrocketed.<sup>91</sup> In 1989, the IMF was called in to “assist in rescheduling the country’s foreign debt and restructuring the economy.”<sup>92</sup> The government was forced to slash many of its subsidies including those on cooking gas, gasoline, fuel, beverages, and cigarettes.<sup>93</sup>

### ***3.3 1989: An Opening?***

In 1989, the Jordanian government began to unofficially lift the martial law that had been in place since 1967 (although it would not officially be lifted until 1991), allowing for political liberalization to take hold in the Kingdom for the first time. This was a radical but necessary move stemming from the political unrest caused by the Palestinian Intifada in neighboring Israel/Palestine, as well as an abysmal domestic fiscal situation and overall dissatisfaction with the government.<sup>94</sup>

The mounting discontent erupted in April 1989 when the government was forced to slash bread subsidies as a part of the IMF-backed austerity measures, resulting in violent riots in which

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<sup>88</sup> The “Intifada” refers to the first Palestinian uprising against Israel and it lasted from 1987 through 1991.

<sup>89</sup> Salibi, *The Modern History of Jordan*, 268-269.

<sup>90</sup> *Ibid*, 269.

<sup>91</sup> Rath, *The Process of Democratization in Jordan*, 539.

<sup>92</sup> *Ibid*, 539.

<sup>93</sup> *Ibid*, 540.

<sup>94</sup> Lucas, Russell E. “Deliberalization in Jordan.” *Journal of Democracy* 14, no. 1 (January 2003): 137–44., 137.

12 people were killed and hundreds injured.<sup>95</sup> The riots were the culmination of economic crises and the result of a serious lack of political freedom and pluralism, forcing King Hussein to allow for a small political opening rather than introducing largely unpopular economic reform.<sup>96</sup> Protesters had been demanding greater political freedom and an opening of the press, among other things. “As in other Middle East countries, democratic reform in Jordan was initiated from above as a tactical strategy to maintain social control in the face of severe economic crisis.”<sup>97</sup> Many scholars have argued that efforts at democratization in the region are often survival tools and bargaining chips to reinforce incumbent regimes: democracy, therefore, is not the goal, and regimes like the Jordanian monarchy use aspects of democracy such as the press to their advantage.<sup>98</sup> Analysts such as Glenn Robinson believe that Jordan’s political strategy is “defensive democratization.” In the case of Jordan, “defensive democratization” was (and continues to be) a “preemptive process whereby the regime tightly controls political openings in order to protect its main pillars of support.”<sup>99</sup>

### ***3.4 The Press 1989-1999***

Most of the individuals I interviewed argue that in order to effectively understand the situation of the press in Jordan, it is necessary to begin studying it after the lifting of martial law, as the political liberalization and subsequent de-liberalization can be seen most clearly through the removal and re-imposition of regulations on the country’s media.

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<sup>95</sup> Najjar, *The Ebb and Flow of the Liberalization of the Jordanian Media*, 127.

<sup>96</sup> Rath, *The Process of Democratization in Jordan*, 536.

<sup>97</sup> Wiktorowicz, Quintan. “The Limits of Democracy in the Middle East: The Case of Jordan.” *Middle East Journal* 53, no. 4 (1999): 606–20., 607.

<sup>98</sup> Csicsmann, *Responsible Freedom and National Security*, 104.

<sup>99</sup> Kaye, Dalia Dassa, Frederic Wehrey, Audra K. Grant, and Dale Stahl. *More Freedom, Less Terror?: Liberalization and Political Violence in the Arab World*. Santa Monica, CA: RAND Corporation, 2008., 61.

Because the Kingdom was in a political, economic, and foreign crisis, the King was forced to create space for media. 1989 began what many journalists and NGO activists have dubbed “the golden period” for Jordanian media. During this time, there were almost 30 Arabic-language weekly newspapers and around five or six daily newspapers in Jordan.<sup>100</sup> That said, in 1990, just before officially lifting martial law, King Hussein passed the National Charter, which essentially defined “the boundaries of political reforms” in Jordan and required that “the mass-media must observe the principle of ‘national responsibility,’” effectively setting forth uncrossable red lines for journalists.<sup>101</sup> After the National Charter, the Kingdom enacted another series of laws to ensure the monarchy maintained power during the politically turbulent time by further curtailing media freedoms. These laws were, and continue to be, the greatest threat to autonomy of the press in Jordan, as they act as the umbrella for other types of restrictions, such as self-censorship.<sup>102</sup>

Between 1989 and 1999, the Jordanian government attempted to pass four amended Press and Publications Laws to varying degrees of success. The difference in the nature of the four laws stems from the regime’s changing perception of its needs for pluralism and its estimates of the balance of power between the opposition and factions within the regime coalition. These were key determinants to the success of regime survival strategies.<sup>103</sup> Each law proved to be an excellent representation of the current political mood in the Kingdom – swaying between liberalization and deliberalization: “by changing the regulations on the press, the regime sought first to co-opt its critics, then to silence them, only later to begin to reverse this process.”<sup>104</sup>

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<sup>100</sup> Osama Al Sharif, interviewed by Katie Beiter, Amman, Jordan, August 2018.

<sup>101</sup> The National Charter was passed by King Hussein in 1990 and then adopted in June 1991. Csicsmann, *Responsible Freedom and National Security*, 107.

<sup>102</sup> Nidal Mansour, interviewed by Katie Beiter, Amman, Jordan, July 2018.

<sup>103</sup> Lucas, Russell E. “Press Laws as a Survival Strategy in Jordan, 1989-99.” *Middle Eastern Studies* 39, no. 4 (2003): 81–98., 82-83.

<sup>104</sup> *Ibid*, 82.

The Kingdom's first Press and Publications Law, which was drafted in 1992 and signed into law on March 29, 1993, had a major impact on the Jordanian media.<sup>105</sup> The new “progressive” law, which was introduced under former Prime Minister Abdel Karim Kabariti and former Minister of Information Marwan Mu'asher, greatly expanded press freedom in the Kingdom.<sup>106</sup> All of the major Arabic dailies began publishing content that took “a slightly more open tone, with more articles on and by opposition personalities.”<sup>107</sup> Before 1989, there were only five newspapers in Jordan: four dailies and one weekly.<sup>108</sup> In 1995, the Kingdom established the TRC “to regulate the country's information and communication sector,” then worth roughly 2.2 billion USD.<sup>109</sup> Between 1993 and 1997, the government granted some 40 licenses to publications and, by September 1997, there were 21 weekly newspapers in Jordan.<sup>110</sup> Despite the seemingly hospitable media environment, many of the new weekly newspapers began publishing sensationalist news in order to maintain their revenue streams.

We had responsible journalism going hand-in-hand with irresponsible journalist, which used to be called yellow press or sensational press, which relied on hearsay and rumors and fake news... The government and the mood [in Jordan] was tolerant and open. But, unfortunately, there were many abuses of press freedom at the time, which forced successive governments to slowly create more restrictions and impose heavy penalties.<sup>111</sup>

Between 1993 and 1997, the Jordanian government filed roughly 66 lawsuits against individual journalists and newspapers for violating the 1993 press law.<sup>112</sup> The abuse of press freedom came to a head when a weekly newspaper published a story about homosexuality and marital affairs.

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<sup>105</sup> Ibid, 87.

<sup>106</sup> Najjar, *The Ebb and Flow of the Liberalization of the Jordanian Media*, 131.

<sup>107</sup> Lucas, *Press Laws as a Survival Strategy in Jordan*, 87.

<sup>108</sup> Osama Al Sharif, interviewed by Katie Beiter, Amman, Jordan, August 2018.

<sup>109</sup> UNESCO. *Assessment of Media Development in Jordan Based on UNESCO's Media Development Indicators*. UNESCO Publishing, 2015., 27.

<sup>110</sup> Najjar, *The Ebb and Flow of the Liberalization of the Jordanian Media*, 132.

<sup>111</sup> Osama Al Sharif, interviewed by Katie Beiter, Amman, Jordan, August 2018.

<sup>112</sup> Lucas, *Press Laws as a Survival Strategy in Jordan*, 87.

This angered many politicians, especially the Islamic deputies, who “demanded that the government amend the press law to stop publications that ‘carry indecent, obscene and unacceptable articles that tarnish our cultural values and traditions.’”<sup>113</sup> Editors and journalists agreed not to cross the red lines in Jordan: “national unity, cultural values and traditions, and the personal lives of individuals.”<sup>114</sup> Prime Minister Kabarti resigned on March 19, 1997.

Later that year, former Minister of Information Samir Mutawi introduced amendments to the 1993 Press and Publications Law. These amendments raised capital requirements, restricted content, increased fines for violating the law, created new qualifications for editors, increased the size of the stake the government could own, and instituted a new article permitting the government to suspend publications and even permanently close them for violating the law.<sup>115</sup> These amendments sparked outrage among journalists, and many political parties decided to boycott the parliamentary elections in November 1997. “Nine days before the 4 November 1997 elections, the government ordered thirteen publications, mostly weeklies, to suspend publication for failing to comply with the financial requirements demanded of the press.”<sup>116</sup> Through the shutdown of news publications, the government essentially created a top-down narrative to its citizenry in order to secure positive electoral results. This demonstrated the regime’s weighted interest in maintaining a façade of democracy while also preserving its stronghold on power, especially through its parliament. A second lawsuit against the Jordanian government prompted the High Court of Justice to rule on the 1997 amendments. In January 1998, the court deemed

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<sup>113</sup> Najjar, *The Ebb and Flow of the Liberalization of the Jordanian Media*, 132.

<sup>114</sup> *Ibid.*, 132.

<sup>115</sup> *Ibid.*, 132.

<sup>116</sup> *Ibid.*, 133.

them unconstitutional, as they were passed when the parliament was in recess. The suspended newspapers could resume publication.<sup>117</sup>

Despite the court's ruling, the Jordanian parliament, friendly to the regime, was able to pass the 1997 amendments into law.<sup>118</sup> The new 1998 Press and Publications Law was much harsher than its predecessor and was drafted in complete secrecy. With its enactment, many felt that "Jordan, at least in terms of press freedom, had gone 'full circle back to martial law.'"<sup>119</sup> King Hussein was adamant about passing this law as a result of the way in which the Jordanian press had covered Israeli-Palestinian issues, and he wrote that the law should "deter anyone from harming Jordan's ties with Arab states or adversely affecting national unity."<sup>120</sup> And so it did - the new law was very similar to the two previous ones, raising the minimum capital for daily newspapers to JD100,000; limiting definitions of press freedom; prohibiting reporting on friendly heads of state or their missions; removing the need for accuracy from journalists' reporting; and discarding the "requirement for the bonding of newspapers."<sup>121</sup> While many opposed this new law, there was virtually no governmental opposition. In August 1998, Crown Prince Hassan signed the draft into law.<sup>122</sup>

### ***3.5 King Abdullah II 1999-2009***

Several months later, King Hussein died and his son Abdullah II was crowned King in February 1999.<sup>123</sup> Abdullah II ascended the throne and immediately promised liberalization in the Kingdom as a means of consolidating power and generating public support. He called an

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<sup>117</sup> Lucas, *Press Laws as a Survival Strategy in Jordan*, 90.

<sup>118</sup> The parliament lacked opposition figures because many parties boycotted the 1997 elections in reaction to the press and publications laws.

Lucas, *Press Laws as a Survival Strategy in Jordan*, 92.

<sup>120</sup> Rugh, *Arab Mass Media*, 141.

<sup>121</sup> Lucas, *Press Laws as a Survival Strategy in Jordan*, 92.

<sup>122</sup> *Ibid*, 93.

<sup>123</sup> Many had expected Crown Prince Hassan to assume the throne in 1999 after his brother's death so it came as a big surprise when King Hussein handed power to his son, Abdullah II.

extraordinary parliamentary session that summer which amended the 1998 Press and Publications Law by reducing the number of prohibited topics, slashing the minimum capital requirements of non-daily newspapers, creating more governmental transparency by allowing journalists to access governmental information sources, and lessening penalties for reporting without permission.<sup>124</sup> Additionally, an article that previously allowed the Jordanian courts to ban any publications tangled in any type of litigation was removed.<sup>125</sup>

While these were all considered to be improvements from the previous law, many of the 1997 Press and Publications Law's harsh regulations remained in place, such as the government's ability to impose media blackouts and censor foreign publications, proving that while it would seemingly create space for a freer press, the regime would never fully loosen its grip on it.<sup>126</sup> The government also retained articles of its penal code, whose statutes the authorities often use to prosecute journalists. These include "'inciting sedition,' defamation, innuendo, and publishing false news."<sup>127</sup> Additionally, a journalist faces up to three years in prison for printing slanderous material against the King.<sup>128</sup>

In 1999, King Abdullah II pledged to establish a "Media Free Zone" outside of the country's capital, Amman. This zone, which the King hoped would bring in foreign investment, would allow foreign publications to be free from all censorship. The goal was to privatize the Jordanian media, still largely in government control, to increase foreign investment in the Kingdom in an effort to bolster the economy. Unfortunately, privatization never occurred. The zone materialized in 2002 with only one production company in operation.

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<sup>124</sup> Lucas, *Press Laws as a Survival Strategy in Jordan*, 94.

<sup>125</sup> Committee to Protect Journalists. "Attacks on the Press 1999: Jordan." Committee to Protect Journalists, March 22, 2000. <https://cpj.org/2000/03/attacks-on-the-press-1999-jordan.php>.

<sup>126</sup> Ibid.

<sup>127</sup> Ibid.

<sup>128</sup> Ibid.

The “Media Free Zone” mirrored the regime’s attitude towards the international and domestic press. Jordanian law and the regime’s press regulations bound the domestic press, while international agencies had more breathing room.<sup>129</sup> In the early 2000s, with the terrorist attacks in New York City on September 11, 2001 (9/11) and the subsequent regional turmoil, the government began to regulate the press even more harshly in the early 2000s.<sup>130</sup> By 2003, only three Arabic dailies and one English one were still in circulation.<sup>131</sup>

In 2001, Jordan amended its penal code to permit prosecution of journalists in its state security courts and allow for the imprisonment of journalists for “harming national unity, inciting hatred, insulting the dignity of individuals, or promoting ‘deviation from what is right.’”<sup>132</sup> To limit public knowledge of corruption, the state security services barred newspapers from publishing any information about court hearings and verdicts without express prior permission.<sup>133</sup> Additionally, the King replaced the Information Ministry with the Higher Media Council. The new, vaguely defined nine-member council was tasked with overseeing the media in Jordan, essentially serving as media regulator.<sup>134</sup> In the same year, six Israeli journalists were banned from covering an Arab summit in Jordan and two *Al Jazeera* journalists were arrested and held for questioning.<sup>135</sup> In a somewhat contrary move, the government did amend its Radio

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<sup>129</sup> Randa Habib, interviewed by Katie Beiter, Amman, Jordan, July 2018.

<sup>130</sup> Committee to Protect Journalists. “Attacks on the Press 2000: Jordan.” Committee to Protect Journalists, March 19, 2001. <https://cpj.org/2001/03/attacks-on-the-press-2000-jordan.php>.

<sup>131</sup> Rugh, *Arab Mass Media*, 142.

<sup>132</sup> Freedom House. “Freedom of the Press 2002: Jordan.” Freedom House, January 12, 2012. <https://freedomhouse.org/report/freedom-press/2002/jordan>.

<sup>133</sup> Committee to Protect Journalists, *Attacks on the Press 2000: Jordan*.

<sup>134</sup> Shukair, Yahia. “Report on the Status of the Media in Jordan.” Arab Center for the Development of the Rule of Law and Integrity, n.d. [http://stmjo.com/en/wp-content/uploads/2015/06/Shukair\\_Jordan\\_MediaReport\\_En.pdf](http://stmjo.com/en/wp-content/uploads/2015/06/Shukair_Jordan_MediaReport_En.pdf), 12-13.

<sup>135</sup> Freedom House, *Freedom of the Press 2002: Jordan*.



and Television Law, effectively ending its monopoly on broadcast media by allowing for more private broadcasting outlets.<sup>136</sup>

By 2001, the new King was attempting to consolidate power. While Abdullah had promised political liberalization, he found that strategy difficult, turning, instead, towards more repressive ways. The combination of Jordan's stagnant economy, political uncertainty, and continued hostility between the Israelis and the Palestinians pushed the King to renege on his initial promises of liberalization.<sup>137</sup> By June, he had dissolved parliament and appointed Ali Abu al-Ragheb as the Kingdom's new prime minister. He also postponed the 2001 parliamentary elections. Shortly after becoming prime minister, Ragheb proposed 200 temporary laws. Adopted in the aftermath of 9/11, these laws were enacted under the guises of "state security" and "anti-terrorism."<sup>138</sup> The Kingdom's excuse for these draconian measures was that it needed to maintain stability in the wake of the terrorist attacks and brewing war in neighboring countries. The regime's efforts to control the Kingdom's political and economic narrative were particularly detrimental to press freedom: "publications can be temporarily or permanently banned by the courts for publishing 'false information or rumors,' harming 'national unity,' 'aggravat[ing] basic social norms,' 'sowing the seeds of hatred,' or harming 'the honor or reputation of individuals.'"<sup>139</sup> Additionally, insulting the king in any way or inciting others to do so carried a prison sentence of one to three years.<sup>140</sup>

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<sup>136</sup> Committee to Protect Journalists, *Attacks on the Press 2000: Jordan*.

<sup>137</sup> "The Impact of 9/11 on the Middle East," Vol. 9. Middle East Policy Council, 2002. <https://mepc.org/journal/impact-911-middle-east>.

<sup>138</sup> Freedom House, *Freedom of the Press 2002: Jordan*.

<sup>139</sup> Committee to Protect Journalists. "Attacks on the Press 2001: Jordan." Committee to Protect Journalists, March 26, 2002. <https://cpj.org/2002/03/attacks-on-the-press-2001-jordan.php>.

<sup>140</sup> Ibid.

In 2002, three journalists were handed prison sentences for “libeling Islam’s prophet and disparaging the dignity of the state.”<sup>141</sup> The regime also banned *Al Jazeera* from operating within the Kingdom, shuttering their offices, and imposing higher taxes on news outlets.<sup>142</sup> The following year, the Kingdom was forced to handle a massive influx of refugees fleeing the violence in Iraq.<sup>143</sup> Throughout 2003, the Jordanian government did repeal some of the most restrictive aspects of the amendments; however, several journalists had already been handed prison sentences for spreading rumors, generating instability, and “insulting the dignity of the state.”<sup>144</sup> Additionally, the regime banned *Al-Hilal* newspaper and banned an issue of the privately owned weekly newspaper *Al-Wihda* for its plans to publish an article about the torture of political detainees in Jordanian prisons.<sup>145</sup> Journalists continued to lament the Kingdom’s security services as their “invisible hands.”<sup>146</sup> In October 2003, Abdullah replaced Ragheb with Faisal al-Fayez, who promised to expand human rights in the Kingdom.

In April 2004 several people suspected of having links to al-Qaeda were arrested after planning an attack in Amman.<sup>147</sup> That same year, the security services arrested two journalists – one for publishing an article about Jordanian-American military cooperation and the other for publishing an article critical of Saudi Arabia. While the Kingdom took steps to amend its Press and Publications Law, those never materialized. The regime continued to exert more covert pressures on journalists through threatening phone calls and increased bureaucratic delays. For

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<sup>141</sup> Freedom House. “Freedom of the Press 2003: Jordan,” January 12, 2012.

<https://freedomhouse.org/report/freedom-press/2003/jordan>.

<sup>142</sup> Ibid.

<sup>143</sup> Csicsmann, *Responsible Freedom and National Security*, 109.

<sup>144</sup> Committee to Protect Journalists. “Attacks on the Press 2003: Jordan.” Committee to Protect Journalists, March 11, 2004. <https://cpj.org/2004/03/attacks-on-the-press-2003-jordan.php>.

<sup>145</sup> Ibid.

<sup>146</sup> Daoud Kuttab, interviewed by Katie Beiter, Amman, Jordan, August 2018.

<sup>147</sup> “Jordan Profile - Timeline.” BBC News, June 5, 2018. <https://www.bbc.com/news/world-middle-east-14636713>.

example, if a journalist needed to renew a passport or get a license of some sort, he/she would likely face delays in relation to his/her work if the regime found it unsavory.<sup>148</sup>

Press freedom restrictions remained the same the following year as the regime delayed or banned outlets from publishing articles and even detained and questioned three journalists from *Al-Ghad* newspaper.<sup>149</sup> While the regime continued its repressive ways, the King did establish a National Agenda Committee, whose task was “to review and reform legislation.”<sup>150</sup> The committee suggested that the government remove the requirement that journalists must belong to the JPA. National political turmoil was again brewing with rumors of the King’s unhappiness with reforms, and Prime Minister Fayez resigned, and was replaced by Adnan Badran. However, his tenure did not last long, as instability grew further with a new wave of terrorist attacks from al-Qaeda.<sup>151</sup> Badran was quickly replaced with Marouf al-Bakhit.

In 2006, two journalists were sentenced to two months in jail after reprinting “several of the Danish cartoons depicting the Prophet Mohammed.”<sup>152</sup> The following year, in response to the international outcry towards the arrests, the Jordanian government amended the Press and Publications Law by removing a clause that stipulated that journalists could be imprisoned for religious defamation or slander; however, journalists are still subject to fines.<sup>153</sup> In 2007, Jordan was also the first Arab country to adopt an Access to Information Act, which essentially allows the public to request information. While the country was heralded as a leader in attempting to

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<sup>148</sup> Daoud Kuttab, interviewed by Katie Beiter, Amman, Jordan, August 2018.

<sup>149</sup> Freedom House. “Freedom of the Press 2006: Jordan,” January 12, 2012. <https://freedomhouse.org/report/freedom-press/2006/jordan>.

<sup>150</sup> Ibid.

<sup>151</sup> Fattah, Hassan M., and Michael Slackman. “3 Hotels Bombed in Jordan; At Least 57 Die.” *The New York Times*, November 10, 2005, sec. Politics. <https://www.nytimes.com/2005/11/10/world/middleeast/3-hotels-bombed-in-jordan-at-least-57-die.html>.

<sup>152</sup> *The Report: Emerging Jordan 2007*. Oxford Business Group, 2007., 195.

<sup>153</sup> Ibid, 195.

improve governmental transparency, the wording of the law was very vague and weak and not many knew of its existence.<sup>154</sup> In 2008, there were no registered information requests.<sup>155</sup>

There were several high-profile incidents between the press and the regime in 2007. In May, *Al Majd*, a local weekly newspaper was barred from publishing when the authorities found out that it was going to print a story on the United States' plans to oust Hamas, the Palestinian governing authority in the Gaza Strip. In April, the authorities "confiscated a filmed Al Jazeera interview with former crown prince Hassan in which he allegedly criticized Saudi and American politics in the region."<sup>156</sup> Publishing anything unsavory about Jordan's allies is not permitted in the Kingdom. Both Saudi Arabia and the United States are two of Jordan's greatest allies and most important foreign aid benefactors. This is expressed in both the Kingdom's Press and Publications Law as well as the 2002 Audio-Visual Media Law, which echoes its print counterpart by requiring broadcasters to "refrain from broadcasting material that might disrupt national unity, promote terrorism, or offend the Kingdom's relations with other countries, and refrain from broadcasting comments that would jeopardize the monetary or economic system."<sup>157</sup>

Press freedom continued to deteriorate in 2008. The former governor of Amman sued a journalist for publishing articles critical of him; four journalists were sentenced to three months in prison for "insulting the judiciary and commenting on its rulings;" and a poet was arrested for using Qur'anic verses in his book of poetry.<sup>158</sup> The situation remained relatively unchanged in

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<sup>154</sup> Mendel, Toby. "Analysis of Law No. 47 for the Year 2007 Guaranteeing the Right to Obtain Information," March 2016. <https://es.unesco.org/sites/default/files/updatedjordan.rti-analysis.16-05-18ls-1.pdf>, 5.

For more information on Law No. 47, read Toby Mendel's Analysis.

<sup>155</sup> Freedom House. "Freedom of the Press 2009: Jordan," January 12, 2012. <https://freedomhouse.org/report/freedom-press/2009/jordan>.

<sup>156</sup> *The Report: Emerging Jordan 2007*, 195.

<sup>157</sup> *Ibid*, 195.

<sup>158</sup> Freedom House, *Freedom of the Press 2009: Jordan*.

2009 as the government continued using coercive tactics such as pretrial detention and the threat of prosecution to ensure the narrative flow.<sup>159</sup>

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<sup>159</sup> Freedom House. "Freedom of the Press 2010: Jordan," January 12, 2012. <https://freedomhouse.org/report/freedom-press/2010/jordan>.

#### **4). The Impact of the Arab Spring**

This chapter attempts to understand the impact of the 2011 Arab Uprisings on press freedom restrictions in the Kingdom of Jordan. The previous chapter discussed the connection between crises and increased constraints on media freedom in Jordan before the uprisings. In this chapter, I will briefly examine the state of the press directly before the Arab Spring before exploring the actual events of the uprisings more broadly in the region before looking specifically at Jordan. I will discuss the findings of my research, which stem from interviews with journalists, NGO officials and researchers, and academics, as well as from literature surrounding the history of the uprisings and NGO press freedom research in Jordan. This section will confirm the hypothesis of the research: in response to the regional panic, the regime created space for press freedom during the initial uprisings in Jordan as a means of appeasing its population. However, as soon as the regime saw the effects of the uprisings on its neighbors, it quickly tightened its grip on the press. Through the manipulation of existing laws as well as the introduction of several new laws, the regime scared the press into submission. Almost every individual I interviewed argued that freedom of the press in Jordan has seriously deteriorated since the Arab Spring and will continue to do so as the regime attempts to maintain its precarious hold on power.

##### ***4.1 The Press Before the Arab Spring***

Between 2003 and 2010, FH classified the Jordanian press as “not free.”<sup>160</sup> The press was considered “partly free” in the Kingdom until the terrorist attacks in New York City on 9/11. After those attacks, and the subsequent regional instability, the government became increasingly repressive as it used the guises of “state security” and “anti-terrorism” to shut down publications

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<sup>160</sup> Freedom House annual “Freedom of the Press” reports from 2003-2010.

and prosecute journalists.<sup>161</sup> While the Kingdom took public steps to increase press freedom, such as by providing licenses to radio and television broadcasters through the Audiovisual Licensing Authority, the 2007 Access to Information Law, and an amended Press and Publications Law, it employed its security services to increase its surveillance of journalists and continued to utilize the draconian penal code to detain and prosecute journalists.

In 2010, just before the Arab Uprisings began, FH classified the Jordanian press as “not free” because of the frequent arrests and prosecution of journalists; the regime’s banned coverage of a corruption trial; the government’s continued ownership of large shares of newspapers and the increase of self-censorship on the part of journalists.<sup>162</sup> In the same year, the government passed a temporary Information System Crime Law, which would govern all online activity. The first of its kind in Jordan, this interim cybercrime law did just that, imposing monetary and penal punishments for acts ranging from the promotion of online prostitution to the support of terrorist acts to credit card and identity fraud.<sup>163</sup>

While this law had its strengths, it also contained several problematic sections in direct contradiction with the government’s human rights obligations. Several human rights groups criticized the Jordanian government for passing the law, which permitted the government to seriously restrict freedom of expression, opinion, and the press, thus repressing the circulation of information in the Kingdom.<sup>164</sup> Specifically, section 12 imposed a prison sentence and a fine between JD500 and JD5000 for obtaining and publishing any information relating to national security, public safety, national defense, or foreign relations.<sup>165</sup> Additionally, section 13 allowed

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<sup>161</sup> Freedom House, *Freedom of the Press 2003: Jordan*.

<sup>162</sup> Freedom House. “Freedom of the Press 2011: Jordan,” January 12, 2012. <https://freedomhouse.org/report/freedom-press/2011/jordan>.

<sup>163</sup> Faqir, Raed S A. “Cyber Crimes in Jordan: A Legal Assessment on the Effectiveness of Information System Crimes Law No (30) of 2010” 7, no. 1 (2013): 10., 82-88.

<sup>164</sup> *Ibid*, 87-88.

<sup>165</sup> “Jordan: Government Approves New Cyber-Crime Law.” SABA Intellectual Property, August 13, 2010.

law enforcement to investigate offices and devices with online presences without a warrant.<sup>166</sup> This law essentially gave the government unfettered power to jail journalists and citizens “without having to resort to terrorist statutes, which was a little embarrassing for them.”<sup>167</sup> Because the law was temporary, it was passed without any debate or review within the Kingdom’s parliament.<sup>168</sup> The following year, the Kingdom would see some of its biggest protests yet.

#### ***4.2 The Arab Spring***

The Arab Spring began in Tunisia in December 2010 when a young street food vendor from Sidi Bouzid named Mohammed Bouazizi self-immolated. The 26-year-old Tunisian had been accosted by a local police officer and set himself on fire in protest – inferentially against the lack of development, the pervasive inequality, the authoritarian nature of the Tunisian Ben Ali regime, the fundamental disrespect of basic human rights, high rates of unemployment, and corruption.<sup>169</sup> His self-immolation ignited protests all across the region, fueled in part by the use of social media platforms such as Twitter and Facebook, which provided activists with a new space to express dissidence, generate solidarity, and spread the word.<sup>170</sup> Because press systems around the region had been violently repressed by authoritarian leaders, these newfound social networks proved to be the only space beyond the control of these regimes. Uprisings exploded

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<http://www.sabaip.com/en/News/Jordan-Government-Approves-New-Cyber-Crime-Law>.

<sup>166</sup> Faqir, *Cyber Crimes in Jordan*, 88.

<sup>167</sup> Adam Coogle, interviewed by Katie Beiter, Amman, Jordan, September 2018.

<sup>168</sup> Faqir, *Cyber Crimes in Jordan*, 82.

<sup>169</sup> Masri, Safwan M. *Tunisia: An Arab Anomaly*. 1 edition. New York: Columbia University Press, 2017. Additionally, for more information on the uprisings in Tunisia, please see Safwan Masri’s work *Tunisia: An Arab Anomaly*.

<sup>170</sup> Ghonim, Wael. *Revolution 2.0: The Power of the People Is Greater Than the People in Power: A Memoir*. Edition Unstated edition. Boston: Houghton Mifflin Harcourt, 2012.

For more information on the use of social media networks during the Arab Spring, please see Wael Ghonim’s work as well as Zeynep Tufekci and Christopher Wilson’s article “Social Media and the Decision to Participate in Political Protest: Observations from Tahrir Square” as well as Tufekci and Carly Robins’ book, *Twitter and Tear Gas*.



throughout the region due to widespread economic malaise, corruption, and governmental repression (issues found in most MENA states).<sup>171</sup> The Arab Spring called for democracy, an expansion of political and economic freedoms, and a respect of fundamental human rights.

From Morocco to Yemen, “the Arab Uprising took everybody by surprise – nobody predicted anything of this magnitude. [And], in a way, they affected Jordan in so many ways as Jordanians participated in rallies and in protests calling for major political reform.”<sup>172</sup> Protests erupted in Amman, Karak, Irbid, Salt, and Ma’an, Jordan on January 28, 2011 and continued through April of that year. The uprisings in the Kingdom were, arguably, the “most serious threat that King Abdullah II has faced since he ascended the throne in 1999.”<sup>173</sup>

Like their counterparts in neighboring countries, the Jordanian protesters at first called for the resignation of the current leadership: Prime Minister Samir Rifai. The protests quickly escalated, however, as Jordanians began calling for more tangible political change –specifically, a more independent and powerful parliament and judiciary; an end to corruption; expanded freedom of expression and the press; a more democratic Election Law; and a less powerful GID, the state security services.<sup>174</sup> The regime failed to pacify the protesters with aid packages and salary increases. Therefore, on February 1, 2011, King Abdullah fired Rifai and replaced him with Marouf Bakhit.<sup>175</sup> Dismissing and replacing Prime Ministers in Jordan is part of the regime’s political playbook, as it allows the King to continue to use his prime minister as a scapegoat. Bakhit, a former army general, was tasked with creating a National Dialogue and a corresponding committee to listen to the demands of the protesters and try to negotiate a peaceful

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<sup>171</sup> Salih, Kamal Eldin Osman. “The Roots and Causes of the 2011 Arab Uprisings.” *Arab Studies Quarterly* 35, no. 2 (2013): 184–206. <https://doi.org/10.13169/arabstudquar.35.2.0184>, 187.

<sup>172</sup> Osama Al Sharif, interviewed by Katie Beiter, Amman, Jordan, August 2018.

<sup>173</sup> Yesilyurt, Nuri. “Jordan and the Arab Spring: Challenges and Opportunities.” *Perceptions* 19, no. 4 (Winter 2014): 169–94., 170.

<sup>174</sup> *Ibid*, 171.

<sup>175</sup> *Ibid*, 172.

political reform process and possible constitutional amendments. This, however, was not enough and in March 2011, protesters launched a sit-in in Amman's Dakhiliyya Square, close to the Ministry of the Interior. The group of mostly leftists, liberals, Islamists, and youth were demanding "a more proportional electoral law as well as the dismissal of the director of...the General Intelligence Directorate."<sup>176</sup> Armed supporters of the regime, with the help of the GID, attacked the protesters, leaving one dead and over 100 injured.<sup>177</sup> After the protests at Dakhiliyya Square ended, the regime continued employing these armed loyalists to subdue any criticism of the Jordanian government, especially attacking those affiliated with the Muslim Brotherhood as well as journalists.<sup>178</sup>

The chaos continued into April 2011, when a man self-immolated in front of the Prime Minister's office.<sup>179</sup> The King decided to appoint a committee to review the constitution in response to the protests, and in August 2011, the committee recommended that 42 articles be amended.<sup>180</sup> The suggestions included limiting state security courts, creating a constitutional court, and establishing an election-observation commission.<sup>181</sup> The parliament approved the amendments with only minor changes and the King signed them into law on September 30, 2011.<sup>182</sup>

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<sup>176</sup> Al-Sumait, Lenze, and Hudson, *The Arab Uprisings*, 202.

<sup>177</sup> *Ibid*, 203.

<sup>178</sup> *Ibid*, 203.

<sup>179</sup> Sarnelli, Viola. "After the Arab Uprisings: Resilience or Transformation?" *Journal of Global Faultlines* 3, no. 1 (March 2016): 70–76., 73.

<sup>180</sup>The Royal Committee to Review the Constitution was appointed on April 26, 2011.

See "Jordan and the Arab Spring: Challenges and Opportunities" by Nuri Yesilyurt for more information on the most influential constitutional amendments. Most importantly, the amendments created a Constitutional Court, a committee to oversee elections, limited the government's ability to pass temporary laws, and revoked the King's ability to indefinitely postpone elections. (pg. 172).

<sup>181</sup> Al-Sumait, Lenze, and Hudson, *The Arab Uprisings*, 204.

<sup>182</sup> Yesilyurt, *Jordan and the Arab Spring*, 172.

The following month, as opposition towards Bakhit increased due to a corruption scandal, the King replaced him with Awn al Khasawneh. A former judge at the International Court of Justice, Khasawneh was tasked with drafting a new electoral law, which was largely unpopular.<sup>183</sup> He resigned in April 2012 and was replaced with Fayeز al Tarawneh.<sup>184</sup> The new Prime Minister was charged with re-writing the Kingdom's political parties and election law. The new laws, which were only slightly better than their predecessors, were passed in June and July 2012, despite serious opposition.<sup>185</sup> In October 2012, with upcoming elections and IMF austerity measures in sight, King Abdullah II again sacked his government and replaced Tarawneh with Abdullah Ensour. Protests broke out the next month in response to the government's lifting of fuel subsidies, an agreed-upon element of the IMF-backed austerity measures designed to rehabilitate the Kingdom's economy.<sup>186</sup>

The King restored peace in the country and, in January 2013, the Kingdom held general elections. While voter turnout was high and the elections were seemingly free and fair, the new parliament was highly skewed in the King's favor because many opposition parties, like the Muslim Brotherhood, boycotted the elections.<sup>187</sup> Two months later, the King re-appointed Ensour as Prime Minister and the general public discontent in the Kingdom began to subside.<sup>188</sup>

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<sup>183</sup> Ryan, Curtis R. "The Implications of Jordan's New Electoral Law." *Foreign Policy*, April 13, 2012. <https://foreignpolicy.com/2012/04/13/the-implications-of-jordans-new-electoral-law/>.

<sup>184</sup> Yesilyurt, *Jordan and the Arab Spring*, 173.

<sup>185</sup> *Ibid*, 173.

The political parties law was better than its predecessor; however, the elections law was criticized as "it allocated very few seats to the national level, it did not annul the SNTV system at the constituency level, and it left the gerrymandered electoral districts intact."

<sup>186</sup> Yesilyurt, *Jordan and the Arab Spring*, 174.

<sup>187</sup> Blitz, Daan. "The Arab Spring: A Parsimonious Explanation of Recent Contentious Politics." Radboud University, 2014.

[https://theses.uibn.ru.nl/bitstream/handle/123456789/1120/Blitz%2C\\_Daan\\_1.pdf?sequence=1](https://theses.uibn.ru.nl/bitstream/handle/123456789/1120/Blitz%2C_Daan_1.pdf?sequence=1), 86.

<sup>188</sup> Al-Khalidi, Suleiman. "Jordan's King Abdullah Reappoints Ensour as PM." *Reuters*, March 9, 2013. <https://www.reuters.com/article/us-jordan-government-idUSBRE9280GJ20130309>.

### *4.3 Regional Impact of the Arab Spring*<sup>189</sup>

The Arab Spring was largely successful in democratizing Tunisia; however, it wreaked havoc on most of the region, most notably Egypt and Syria.<sup>190</sup> Egyptians overthrew Hosni Mubarak, the autocratic leader who had ruled Egypt under the guise of a State of Emergency from 1981 until 2011.<sup>191</sup> Following the short lived presidency of Mohammed Morsi and the subsequent military coup, former military chief Abdel Fattah el-Sisi was elected to the presidency in 2014. Sisi has proven to be far more oppressive than his predecessors and this is seen, distinctly, in the deterioration of the state of the press.<sup>192</sup> In 2017 alone, the Egyptian government nationalized media outlets, blocked websites, placed restrictions on information, arrested and detained journalists, and disappeared journalists for their reporting.<sup>193</sup> Most recently, Egypt was noted to be a world leader in jailing “the most journalists on false news charges.”<sup>194</sup>

Additionally, as of this writing, the Syrian Republic is still embroiled in a seven-year civil war that has caused one of the most horrific humanitarian crises in recent decades. Anti-regime protests began in southern Syria in early 2011 and the demonstrators were immediately met with violence from the Bashar al-Assad regime in Syria.<sup>195</sup> Since the initial rebellion, over

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<sup>189</sup> While an in-depth explanation of the Arab Spring is beyond the scope of this paper, it is important to understand its impact on Jordan’s neighbors to better understand its impact in the Kingdom itself. For a more comprehensive overview of the Arab Uprisings in the region, see Kamal Eldin Osman Salih’s paper, “The Roots and Causes of the 2011 Arab Uprisings.”

<sup>190</sup> For more information on Tunisia’s Jasmine Revolution, please see Safwan Masri’s work, *Tunisia: An Arab Anomaly*.

<sup>191</sup> “Egypt Profile - Timeline.” *BBC*, November 6, 2017. <http://www.bbc.com/news/world-africa-13315719>.

<sup>192</sup> Fantz, Ashley. “Egypt’s Long, Bloody Road from Arab Spring Hope to Chaos.” *CNN*, April 27, 2016. <http://www.cnn.com/2016/04/27/middleeast/egypt-how-we-got-here/index.html>.

<sup>193</sup> Please see the Committee to Protect Journalists reporting on Egypt for more information.

<sup>194</sup> Committee to Protect Journalists. “Hundreds of Journalists Jailed Globally Becomes the New Normal.” December 13, 2018. <https://cpj.org/reports/2018/12/journalists-jailed-imprisoned-turkey-china-egypt-saudi-arabia.php>.

<sup>195</sup> For more information on the Syrian Civil War, please see Zachary Laub’s work “Syria’s War: The Descent into Horror” published by the Council on Foreign Relations.

half a million Syrians have perished and some 12 million have been displaced both internally and internationally.<sup>196</sup>

Because of these regional conflicts, Jordan's allies were worried that the Arab Spring could potentially destabilize the geopolitically significant country, one that has, and continues to, absorb the shockwaves of the MENA region. The small Kingdom, with a "poor economy, fragmented society and uneasy neighborhood" was highly vulnerable to the political upheaval of the region; however, the Hashemite regime was able to stay in power without enacting any real political change.<sup>197</sup> The regime exploited the dramatic crises in neighboring Syria and Egypt to frighten its population about its possible fate and to drive an increase in foreign investment and aid from nervous allies.

#### ***4.4 The State of the Press Post-Arab Spring***

Before the uprisings, press freedom in Jordan waxed and waned depending on the general political, economic, social, and cultural mood of the country. When the Arab Spring came to Jordan, the regime "could not clamp down on the press because that would have been somewhat suicidal. The regime was nervous so they had to create outlets and provide for venting mechanisms."<sup>198</sup> Which they did. Thousands took to social media platforms such as Twitter and Facebook to disseminate information and share their grievances. Similar to the "golden period" of journalism in the 1990s in Jordan, the small opening of press freedom during the uprisings also ushered in a period of unprofessional journalism. Many journalists and other citizens were

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<sup>196</sup> Laub, Zachary. "Syria's War: The Descent into Horror." Council on Foreign Relations. <https://on.cfr.org/1PetboM>.

<sup>197</sup> Yesilyurt, *Jordan and the Arab Spring*, 170.

<sup>198</sup> Safwan Masri, interviewed by Katie Beiter, Amman, Jordan, October 2018.

trying to disseminate on corruption stories in the Kingdom and began making unsubstantiated allegations towards those in power.<sup>199</sup>

Despite its classification as “not free,” many scholars argue that 2011 was one of the freest years for the press and for freedom of expression in Jordan. In 2011 the regime developed a media strategy for the years 2011-2015. This strategy

was designed to create a legal, political and administrative environment conducive to the development of the media sector, to protect and strengthen the independence of government and private media and to create a legal, political, social and professional environment that favours media pluralism and the exercise of the right to information.<sup>200</sup>

These concessions, and this newfound press freedom, however, would quickly subside. “The Arab Spring created so much fear at all levels that, the moment things became fine, if I can say that, and fine for the leaders, [everything] ended.”<sup>201</sup>

Because of the surge in online activity during the uprisings as well as the unprofessional nature of some of the journalists, the government amended the Press and Publications Law again in 2012, effectively increasing “restrictions on internet use.”<sup>202</sup> The regime also extended print media requirements to electronic news sites – requiring all news sites to have a governmental license to operate and to employ a “full time editor-in-chief who has been a member of the JPA for at least four years.”<sup>203</sup> Employees of online news sites are legally liable for the content of articles posted and for the comments left on articles.<sup>204</sup> Additionally, the Press and Publications

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<sup>199</sup> Adam Coogle, interviewed by Katie Beiter, Amman, Jordan, September 2018.

<sup>200</sup> “National Report Submitted in Accordance with Paragraph 5 of the Annex to Human Rights Council Resolution 16/21.” Human Rights Council: United Nations, July 29, 2013. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G13/159/47/PDF/G1315947.pdf?OpenElement>.

<sup>201</sup> Randa Habib, interviewed by Katie Beiter, Amman, Jordan, July 2018.

<sup>202</sup> Sarmelli, *After the Arab Uprisings*, 74.

<sup>203</sup> Luque, Javier, and Steven Ellis. “Jordan’s Online Media Freedom at Stake: 2015 IPI Press Freedom Mission to Jordan.” International Press Institute, n.d. [https://ipi.media/wp-content/uploads/2016/01/Jordan-Online-Media-Freedom-at-Stake\\_OK1\\_19112015.pdf](https://ipi.media/wp-content/uploads/2016/01/Jordan-Online-Media-Freedom-at-Stake_OK1_19112015.pdf), 9.

<sup>204</sup> Ibid, 9.

Department in the government may block any foreign or domestic website if they do not comply with the amended law.<sup>205</sup>

Following the example of many other post-Arab Spring states, Jordan began prosecuting media offenses under terrorism laws.<sup>206</sup> Regimes all over the Arab world allude to “state/national security” or “public order” to justify the arrest and prosecution of journalists under these laws. Additionally, instead of arresting and carrying out lengthy trials against journalists, the Jordanian government utilizes pretrial detention as a means of stifling criticism. “It is very rare to have someone actually convicted with a long jail sentence...the journalist getting arrested [in the first place] is the punishment...pre-trial detention is the punishment.”<sup>207</sup> The use of pre-trial detention, and the resultant lack of formal arrests of journalists, is just one of the insidious ways the Jordanian government terrorizes and punishes journalists and controls the flow of information in Jordan while maintaining a tailored image in the international arena.

As the war in Syria raged on, approximately 1.2 million Syrians sought refuge in the Kingdom.<sup>208</sup> The substantial population increase and the regional turmoil pushed the regime to crackdown further on the press. Restrictions increased substantially in 2013 as “journalists encountered a marked increase in physical attacks as well as restrictions on coverage of controversial topics, including the Za’atari refugee camp and demonstrations calling for reform.”<sup>209</sup> Additionally, the government blocked some 300 websites and arrested two journalists.<sup>210</sup>

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<sup>205</sup> Freedom House. “Freedom of the Press 2014: Jordan,” April 25, 2014. <https://freedomhouse.org/report/freedom-press/2014/jordan>.

<sup>206</sup> Randa Habib, interviewed by Katie Beiter, Amman, Jordan, July 2018.

<sup>207</sup> Adam Coogle, interviewed by Katie Beiter, Amman, Jordan, September 2018.

<sup>208</sup> Alshoubaki, Wa’ed, and Michael Harris. “The Impact of Syrian Refugees on Jordan: A Framework for Analysis.” *Journal of International Studies* 11, no. 2 (June 30, 2018): 154–79. <https://doi.org/10.14254/2071-8330.2018/11-2/11>, 155.

<sup>209</sup> Freedom House, *Freedom of the Press 2014: Jordan*.

<sup>210</sup> Ibid.

Press freedom continued to deteriorate in 2014. The government created the Media Commission, a body charged with overseeing both foreign and domestic websites and ensuring their compliance with the 2012 amendments to the Press and Publications Law. The commission can block any websites, without a court ruling.<sup>211</sup> The government also amended its antiterrorism law to effectively link freedom of speech, expression, and the press to national security, a similar move leaders like Turkish President Recep Tayyip Erdogan have executed.<sup>212</sup> Jordanian authorities arrested 12 journalists from the Iraqi television station, *Al-Abasiya*, using this law and eventually shut down the station altogether.<sup>213</sup> The following year, Jordan detained or prosecuted nine different journalists under the counterterrorism law.<sup>214</sup>

In 2015, the government amended its Cybercrime Law by establishing prison sentences for slander or insult on online news sites.<sup>215</sup> Interestingly, the Press and Publications Law contained a unique 2012 amendment which banned the arrest of journalists in connection to their work. While the state would use other means, such as the penal code, to circumvent this amendment, instances of arrest were not as frequent from 2012 to 2015.<sup>216</sup> Contrastingly, the Cybercrime Law now allowed for the imprisonment of journalists.<sup>217</sup> This was seen as a major

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<sup>211</sup> Freedom House. "Freedom of the Press 2015: Jordan," April 22, 2015. <https://freedomhouse.org/report/freedom-press/2015/jordan>.

<sup>212</sup> "[U]se of information systems, or the information network, or any other publishing or media tool, or establishment of a website to facilitate the conduct of terrorist acts or support terrorist groups, or an organization or a charity that performs acts of terrorism or markets its ideas or funds it, or conducts any acts that subject Jordanians or their property to acts of hostility or reprisals."

<sup>213</sup> Freedom House, *Freedom of the Press 2015: Jordan*.

<sup>214</sup> Human Rights Watch. "World Report 2016: Rights Trends in Jordan." Human Rights Watch, January 11, 2016. <https://www.hrw.org/world-report/2016/country-chapters/jordan>.

<sup>215</sup> "[a]nyone who sends or resends or publishes statements or information purposefully by way of the Internet or a website or any other information platform that includes slander vilifying or contempt of another person".

<sup>216</sup> Adam Coogle, interviewed by Katie Beiter, Amman, Jordan, September 2018.

<sup>217</sup> Luque and Ellis, *Jordan's Online Media Freedom at Stake*, 13-14.



back-step in the advancement of press freedom in the Kingdom as laws were vague and contradicted themselves.

King Abdullah launched a ten-year Comprehensive National Plan for Human Rights in 2016.<sup>218</sup> The plan is essentially a declaration for Jordan to respect, protect, and fulfill its human rights obligations, including improving the right to freedom of expression, opinion, speech, and the press. The Kingdom's plan promised to "review the relevant legislations and propose the necessary amendments thereto;" "amend and activate the law that ensures the right to access information;" "ensure sufficient protection for the media people and journalists while performing their work;" and "restrict the withdrawal of the licenses granted to the different media outlets to the judicial authority;" "stipulate controls and standards to ensure the practice of the right to freedom of opinion and expression and not to attack or encroach upon the reputation of others;" "implement training programs to the people working in the media and in the law enforcement entities;" and "monitor the violations of the freedom of opinion and increase the involvement of the other opinion in the government media."<sup>219</sup> Despite this seemingly positive development, in August 2016, Jordanian authorities arrested and detained Nahed Hattar for posting a cartoon that "depicted an ISIS fighter in bed with two women ordering God to bring him wine."<sup>220</sup> He was charged with "offending religion" and "inflaming religious feelings."<sup>221</sup> The following month Hattar was murdered as he entered court to attend his trial.<sup>222</sup>

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<sup>218</sup> Human Rights Watch. "World Report 2017: Rights Trends in Jordan." Human Rights Watch, January 12, 2017. <https://www.hrw.org/world-report/2017/country-chapters/jordan>.

<sup>219</sup> "Comprehensive National Plan for Human Rights." [http://www.jordanembassy.or.id/comprehensive\\_national\\_plan\\_for\\_human\\_rights.htm](http://www.jordanembassy.or.id/comprehensive_national_plan_for_human_rights.htm).

<sup>220</sup> Human Rights Watch, *World Report 2017: Rights Trends in Jordan*.

<sup>221</sup> Amnesty International. "Killing of Jordanian Journalist a Deplorable Attack on Freedom of Expression." Amnesty International, September 26, 2016. <https://www.amnesty.org/en/latest/news/2016/09/killing-of-jordanian-journalist-a-deplorable-attack-on-freedom-of-expression/>.

<sup>222</sup> Human Rights Watch, *World Report 2017: Rights Trends in Jordan*.

In 2017 the regime proposed amendments to the 2015 Electronic Crimes Law to criminalize hate speech. As of this writing, in 2018, this law is still on the table. The amended cybercrime law will criminalize hate speech, imposing a one to three-year prison sentence and a JD5,000-10,000 fine.<sup>223</sup> This law is more clever than preexisting laws. The Kingdom has devised a way where “they can argue that they are fulfilling their human rights obligations because hate speech is criminalized under international law;” however, the definition of hate speech is underdeveloped and vague, allowing for governmental manipulation.<sup>224</sup> In line with the regime’s cosmetic reform strategy and under-handed methods of restricting the press, this law could effectively criminalize any speech the government deems “hateful.” The bounds of this 2018 law are endless.

#### ***4.5 Analysis of the Research Question***

While the Kingdom did experience protests, Jordan is widely understood to have “escaped” the Arab Spring. True to form, the regime skillfully handled the protests and the protesters. The King, Queen, and police and security forces were seen handing out bottled water to protesters during the uprisings.<sup>225</sup> By allowing the protests to actually happen and by seeming empathetic, the regime effectively presented as tolerant and created a façade that they were open to reform. This veneer of democratization, however, would quickly fade. The regime rolled back many of the reforms of the Arab Spring because, for the regime and its allies, “the security and stability of Jordan is much more important than anything else.”<sup>226</sup>

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<sup>223</sup> “Gov’t Ready with Cybercrime Bill ‘To Curb Hate Speech.’” *The Jordan Times*. May 22, 2018. <http://www.jordantimes.com/news/local/gov%E2%80%99t-ready-cybercrime-bill-curb-hate-speech%E2%80%99>.

<sup>224</sup> Adam Coogle, interviewed by Katie Beiter, Amman, Jordan, September 2018.

<sup>225</sup> Spindel, Chad. “The People Want to Topple the Regime: Exploring the Arab Spring in Egypt, Syria, and Jordan.” *SAGE Open* 1, no. 3 (October 1, 2011): 2158244011428648. <https://doi.org/10.1177/2158244011428648>.

<sup>226</sup> Osama Al Sharif, interviewed by Katie Beiter, Amman, Jordan, August 2018.

Scholars argue that the regime only made superficial political reforms as a means to stay afloat and to create a façade of national dialogue and democratization. The regime managed these reforms by reshuffling cabinets and dismissing prime ministers; giving speeches and taking some small actions towards tacking corruption; and by meeting with previously disenchanted political groups, such as the Muslim Brotherhood. These were all a part of the “usual game of making bold promises of political reform, co-opting relevant regime and opposition figures in a drawn out process of national dialogue, and finally delivering ‘reform’ that does not change in any significant way the fundamental power structure of the state.”<sup>227</sup> Through manipulating media systems, the regime opened the space for press freedom as an apparent concession only until it was able to regain strength and popularity, at which point it harshly withdrew said freedom. Additionally, the regime exploited the regional Arab Spring turmoil to insist that the “stability” of Jordan was better than efforts at democratization.

Some argue that the price of stability in the Kingdom is worth the lack of press freedom. “Instead, what we got was stability. The price for that stability is the perpetuation of what can only be described as the status quo and with it, the security apparatus’ firm grip on government and the preeminence of the old guard.”<sup>228</sup> Given the ongoing regional instability, others argue that while Jordanians may lack specific human rights, the situation in the Kingdom is far better than in neighboring countries. “Though Abdullah limits speech here, he is not nearly as brutal as Syrian President Bashar al-Assad. And events in Egypt have made young, secular Jordanians

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<sup>227</sup> Al-Sumait, Lenze, and Hudson, *The Arab Uprisings*, 203.

<sup>228</sup> Murad, Nermeen. “Here Is How Jordan Escaped the Arab Spring.” *Al Jazeera*, February 9, 2014. <https://www.aljazeera.com/indepth/opinion/2014/02/here-how-jordan-escaped-arab-spr-20142510106257977.html>.

loathe to live under the Muslim Brotherhood.”<sup>229</sup> Regardless, it is undeniable that press freedom is under threat in Jordan.

While the Kingdom has promised political reform for decades, vacillating between times of liberalization and deliberalization, it only does so superficially, often using the press as its pawn to maintain power and control the production of knowledge and its narrative as a liberal state.

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<sup>229</sup> Rohde, David. “In Jordan, the Arab Spring Isn’t Over.” *The Atlantic*, July 19, 2013.  
<https://www.theatlantic.com/international/archive/2013/07/in-jordan-the-arab-spring-isnt-over/277964/>.

## **5). Conclusion**

“I think the future of journalism in Jordan and around the Middle East is bright in the long run, bleak in the shorter term. I don't think the future of Jordan or the Middle East is bright in the short term, in fact.”<sup>230</sup>

Over the past several years, the state of the press has significantly deteriorated globally. Hundreds of journalists are intimidated, arbitrarily detained, and murdered annually for reporting the facts. However, press freedom cannot just be gauged by the number of detentions or deaths, it must also be measured in the coercive ways that governments restrict the flow of information to their citizens – including through covert and vaguely worded legal mechanisms; access to information; threats and “soft” pressures; as well as through systems of payola and media ownership. These subversive tactics enable the persistence of the façade of democratic structures, serving to create an ignorant public, easily malleable by the incumbent regime. As history has proven, it is the Arab leaders who set the tone and manipulate the media.

This, however, is not just a Jordanian issue; media regulation, especially state-sponsored repression, is a pervasive global phenomenon. It actively undermines democracy by keeping average citizens largely in the dark about what their governments are really up to. For example, Chinese President Xi Jinping has launched an all-out offensive on the dissemination of knowledge through media capture, propaganda news agencies, and the interdiction of certain literature. Additionally, Brazil continues to prosecute journalists for defamation under its criminal defamation laws. Most recently, a blogger known as “Paulinho” was taken into custody and convicted of insulting a sports presenter, for which he will serve one month and 23 days in prison.<sup>231</sup> Even in the United States, President Donald Trump has created distrust in media

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<sup>230</sup> Rosemary Armao, interviewed by Katie Beiter, Email, August 2018.

<sup>231</sup> Committee to Protect Journalists. “CPJ Calls on Brazil to End Its Use of Criminal Defamation to Persecute Journalists.” <https://cpj.org/2018/12/cpj-calls-on-brazil-to-end-its-use-of-criminal-def.php>.

outlets citing “fake news.” And, most recently, Saudi officials murdered a journalist for being publicly critical of the repressive regime. There are countless other examples of increased media restrictions globally. Beyond their detriment to the press, these instances have ominous consequences for the larger circulation of knowledge, without which inhabitants cannot be apt stewards of their fates. Coercion, repression, and terrorism are, ultimately, forms of ideological capture, as they permit a regime to ultimately control every facet of society.

This is an issue that desperately needs more international attention. While press freedom does not always directly affect citizens, a lack of freedom has lasting consequences. If King Abdullah II has taught us anything, it is that we need to understand that treatment of the media is merely symptomatic of a bigger threat - the goals of a power hungry state. Journalistic integrity, diversity, and press freedom are all under threat.

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## Interviews

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- Al Ibrahim, Mokhtar; Journalist and Translator with the Arab Reporters for Investigative Journalism; Interviewed in Amman, Jordan on July 11, 2018.
- Al Sharif, Osama; Former Editor of *Ad-Dustour*, Journalist based in Amman; Interviewed in Amman, Jordan on August 4, 2018.
- Al Shawabkeh, Musab; Investigative Journalist with Arab Reporters for Investigative Journalism; Interviewed in Amman, Jordan on July 11, 2018.
- Armao, Rosemary; Journalist with the Arab Reporters for Investigative Journalism; Interviewed over e-mail on August 2, 2018.
- Cherif, Youssef; Tunisian-based Analyst, Member of the Carnegie Civic Research Network, and Director of the Columbia University Global Center in Tunis; Interviewed over e-mail on July 29, 2018.
- Coogle, Adam; Middle East Senior Researcher for Human Rights Watch; Interviewed in Amman, Jordan on September 13, 2018.
- Habib, Randa; Former Director of the Amman, Jordan Bureau of *Agence France-Presse (AFP)* and Former Regional Director of MENA for Amnesty International; Interviewed in Amman, Jordan on July 4, 2018.
- Kuttab, Daoud; Palestinian Journalist and Media Activist; Interviewed in Amman, Jordan on August 1 and August 6, 2018.
- Mansour, Nidal; Former Journalist and owner of *Al Hadith*; Executive Director of the Center for the Freedom of Defending Journalists; Interviewed in Amman, Jordan on July 25, 2018.
- Masri, Safwan; Executive Vice President of Columbia University Global Centers, Director of the Columbia Global Center in Amman, Professor, and Author of *Tunisia: An Arab Anomaly*; Interviewed at the Columbia Global Center in Amman, Jordan on October 16, 2018.
- Sabbagh, Rana; Former Chief Editor of the *Jordan Times*; Former Correspondent with *Reuters* and *The Times*; Executive Director of the Arab Reporters for Investigative Journalism; Interviewed in Amman, Jordan on July 24, 2018.